

**DEPARTMENT OF HOMELAND SECURITY  
U.S. COAST GUARD DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**FOR**

**PROPOSED NEW BRIDGE ACROSS THE MANATEE RIVER, MILE 15.0,  
AT PARRISH, MANATEE COUNTY, FLORIDA**

**APPENDIX K**

**FHWA 2007 DEIS  
COMMENTS AND  
COORDINATION  
CHAPTER**

**2007**

## *Section 6.0*

# *COMMENTS AND COORDINATION*

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An extensive public involvement program has been conducted as part of this DEIS process to establish communication with the general public, property owners, and federal, state, and local government agencies concerned with the project.

The Upper Manatee River study and its resultant EA generated substantial concerns among residents within the study area and other interested public. As a result of these concerns, the FHWA elevated the project documentation level for the study from an EA to an EIS. This section documents the public involvement efforts for both the EA and the EIS.

The main vehicles for disseminating the information for this study have been the Advance Notification Packages, which were mailed to federal, state, and local agencies, the Alternatives Public Workshops, and the Public Hearings. **These tasks are described separately for the EA study first and then the EIS.** Also included herein are comments from the public and review agencies, along with the FDOT responses, the handouts that were provided at the public meetings, the Public Hearing video scripts, and the Public Hearing transcripts.

## **6.1 ENVIRONMENTAL ASSESSMENT**

### **6.1.1 ADVANCE NOTIFICATION**

The FDOT, through the Advance Notification Process, informed federal, state, and local government agencies of the intent of this study and its scope. The FDOT initiated early project coordination on July 9, 1999, by distribution of an Advance Notification package to the State of Florida DCA - State Clearinghouse. Appendix A contains a copy of the Advance Notification package and the agency responses that were received by the FDOT. The agencies listed below received Advance Notification packages.

### **6.1.1.1 Mailing List of Agencies**

#### **FEDERAL**

Federal Highway Administration, Division Administrator  
Federal Emergency Management Agency  
U.S. Department of Interior - Fish and Wildlife Service  
Federal Aviation Administration  
Federal Railroad Administration  
U.S. Army Corps of Engineers  
U.S. Environmental Protection Agency - Region IV  
U.S. Geological Survey, Environmental Affairs Program  
U.S. Department of Interior - Bureau of Land Management  
U.S. Department of Interior - National Park Service  
U.S. Department of Commerce - National Oceanic and Atmospheric Administration  
U.S. Department of Commerce - National Marine Fisheries Service  
U.S. Department of Health and Human Services - Center for Environmental Disease Control  
U.S. Coast Guard 7th District  
U.S. Department of Housing and Urban Development  
U.S. Fish and Wildlife Service - Field Supervisor

#### **STATE**

Florida State Clearinghouse - Department of Community Affairs  
Florida Department of Environmental Protection - Marine Fisheries Commission  
Florida Department of Environmental Protection - Southwest District  
Florida Fish and Wildlife Conservation Commission (formerly Florida Game and Fresh Water Fish Commission) - Office of Environmental Services  
Florida Department of Transportation - Environmental Management Office  
Florida Department of Agriculture and Consumer Services - Division of Plant Industry  
Florida Department of Environmental Protection, Division of State Lands - Bureau of Submerged Lands and Preserves  
Florida Department of Transportation - Federal Aids Programs Coordinator  
Florida Department of State - Division of Historical Resources  
Florida Department of Transportation - Federal Aid Programs Coordinator

#### **LOCAL**

Southwest Florida Water Management District  
Tampa Bay Regional Planning Council  
Southwest Florida Regional Planning Council  
Manatee County Board of County Commissioners

### 6.1.1.2 Summary of Agency Comments and FDOT Responses

Following is a summary of the comments received from the agencies as a result of the Advance Notification process and the FDOT responses to those comments.

#### **UNITED STATES DEPARTMENT OF COMMERCE** **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

**COMMENT:** A variety of wetland habitats occur in the project area. These wetlands, in association with other aquatic habitats, serve as nursery, forage, and/or refuge sites for estuarine finfish and invertebrates with commercial, recreational, and ecological importance. In addition to their habitat value, these wetlands provide important water quality and control functions such as pollutant and sediment removal, wave attenuation, and flood water storage. The NMFS recommends that all practicable measures to avoid and minimize impacts to aquatic resources be considered during the design phase of the project.

Be advised that the project area wetlands are identified as EFH in the 1998 generic amendment of the Fishery Management Plans for the Gulf of Mexico. Federal agencies that permit, fund, or undertake activities that may adversely impact EFH must undertake an EFH Consultation with the NMFS. In that regard, it may be beneficial for the FDOT to address EFH in the Wetland Evaluation Report to assist the various federal funding and regulatory agencies in preparing their EFH Assessments for this project. In cases where two or more federal agencies are undertaking, funding, and/or permitting an action, one agency may assume the EFH Consultation responsibility for the project provided the NMFS is notified by the lead federal agency that it is acting on behalf of the other agencies.

**RESPONSE:** All practicable measures will be taken to avoid and minimize impacts to aquatic resources during the study and design phases of the project. EFH was addressed in the Wetland Evaluation Report dated November 2001, and coordination has occurred with the NMFS (see letter dated August 17, 2001 in Appendix A). The NMFS will complete the EFH consultation during the permitting phase of the project. Coordination with NMFS will continue throughout the design and construction phase of the project.

#### **FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION**

**COMMENT:** The Manatee River is a suspected manatee birthing area, with a greater than average frequency of manatee perinatal deaths. Eight tagged manatees have been documented in the upper reaches of the river. For this project, we would recommend the following ERP conditions:



1. The standard manatee construction conditions shall be followed for all in-water construction.
2. At least one person shall be designated as a manatee observer when in-water work is being performed. The person shall have experience in manatee observation, and be equipped with polarized sunglasses to aid in observation. The manatee observer must be on site during all in-water construction activities and will advise personnel to cease operation upon sighting a manatee within 50 feet of any in-water construction activity. Movement of a work barge, other associated vessels, or any in-water work shall not be performed after sunset, when the possibility of spotting manatees is negligible.

**RESPONSE:** FDOT standard manatee construction conditions, see Appendix M, will be adhered to during construction, to address the above comment, including the requirement for a qualified manatee observer during in-water work.

#### **TAMPA BAY REGIONAL PLANNING COUNCIL**

**COMMENT:** While we do find the proposal to be regionally significant, initial in-house review does not indicate the necessity for action by the Council. All member local governments of the Tampa Bay Regional Planning Council's (TBRPC) Clearinghouse Review Committee and TBRPC's full policy board will be notified of the application for any comments concerning local significance. The applicant will be contacted if any local concerns are identified.

Regionally significant natural resources as identified with the Council's adopted Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region are located in the proximity of the proposed road/bridge construction. TBRPC staff can be contacted if further information is needed at present prior to the formal permit coordination process.

In accordance with the State's delegated Intergovernmental Coordination & Review (IC&R) requirements, this project is considered to have met the requirements of the IC&R process and no further review will be required by our agency. This letter constitutes compliance with IC&R only and does not preclude the applicant from complying with other applicable grant requirements or regulations.

**RESPONSE:** The FDOT will continue to coordinate with the TBRPC and will continue to provide them with all of the environmental documents related to this project, for their review. The TBRPC was invited to attend and participate in the various scoping meetings held during this phase of the project, which gave the TBRPC the opportunity to comment further on the project.

**U.S. COAST GUARD - 7th DISTRICT**

**COMMENT:** A USCG bridge permit will be required for the new bridge crossing. No guide clearances have been established for the waterway. In order to determine the exact clearance requirements for existing and prospective navigation, you are encouraged to consult with the waterway users early in your design process. This needs analysis should help avoid unnecessary delays in the permitting process.

The USCG decision on navigational adequacy is necessarily part of the permit approval process. We will consider any information you provide, the comments responding to the public notice we issue after receiving your application, and all other available information in making this decision.

The FHWA will act as lead agency for the NEPA process and the USCG will act as a cooperating agency. Please submit a copy of the environmental documentation for our review when it is available.

**RESPONSE:** A boat survey was performed early in the project process to determine clearance requirements. The information gathered in the survey has been documented and a presentation was made to the USCG. A coordination meeting between the FDOT and the USCG was held on May 22, 2001 in the Miami District office of the USCG. Minutes of this meeting are in Appendix A. Marine usage, navigation, and vertical clearances were discussed. The USCG concurred with the FDOT on a 26-foot minimum clearance and requested further information on fender and lighting systems. The FDOT will continue to coordinate with the USCG throughout the project development process and will provide them with the environmental documents related to this project for their review.

Appendix A contains the Advance Notification package and the agency responses that were received by the FDOT.

**6.1.2 INTERAGENCY COORDINATION****6.1.2.1 Agency Scoping Meetings**

A series of three scoping meetings were conducted for the Upper Manatee River study. The first meeting was held on September 19, 2000, in the 9th Floor Conference Room of the Manatee County Administration Building, and on September 20, 2000, in the field. The second scoping meeting took place on January 9, 2001, in the same conference room. The third scoping meeting was held on June 6, 2001, in the 5th Floor Emergency Management Operations Conference Room in the Manatee County Administration Building. The FDOT staff and consultants, cooperating agencies, permitting and regulatory agencies, and local agencies were all invited to the scoping meetings.

Following is a list of agencies invited to the scoping meetings:

Manatee County Transportation Department  
Sarasota/Manatee Metropolitan Planning Organization  
U.S. Environmental Protection Agency - Region IV  
U.S. Department of Interior - Fish and Wildlife Service  
U.S. Army Corps of Engineers Regulatory Branch  
Federal Emergency Management Agency  
U.S. Geological Survey Environmental Affairs Program  
Bureau of Land Management Eastern States Office  
U.S. Department of Housing & Urban Development  
U.S. Department of Health and Human Services Centers of Disease Control  
Southwest Florida Water Management District  
Tampa Bay Regional Planning Council  
Florida Department of Environmental Protection Southwest District  
Florida Department of State Division of Historical Resources  
Florida Department of Transportation Environmental Management Office  
Federal-Aid Programs Coordinator, Florida Department of Transportation  
Federal Highway Administration  
U.S. Coast Guard, 7th District  
Manatee County Project Management Department  
Manatee County Growth Management Division  
Southwest Florida Water Management District  
Florida Fish and Wildlife Conservation Commission  
Florida Department of State/Tampa Regional Preservation Office

The meetings all began with brief introductions, followed by a project overview. The purpose of the first meeting was to reach a consensus on the purpose and need of the project and the corridors to be studied. As a result of the first scoping meeting, the Rye Road/Golf Course Road corridor was added, and the purpose and need was agreed to by the scoping agencies.

The objective of the second scoping meeting was to decide on which corridor to carry forward in the study based on the corridor study, comments received from the corridor public workshop, input received from the first scoping meeting, and the corresponding field review by the agencies. As a result of this meeting, a consensus was reached recommending the Upper Manatee River Road/Fort Hamer Road corridor be carried forward, and that various alignments within that corridor be presented to the public at the next public workshop.

In the third scoping meeting, there was a discussion of the proposed alignment alternatives that were presented at the Alternatives Public Workshop, and a summary of the comments received from the public was provided. The attendees reviewed the Endangered Species Biological Assessment findings, as well as the presentation the FDOT had given to the USCG on May 22, 2001, in Miami. Each attendee was given an opportunity to discuss key concerns from their agency. The agencies decided to review the information presented and provide the FDOT with their input prior to the selection of the preferred alternative which will be presented to the public at a Public Hearing.

A copy of the meeting minutes for the agency scoping meetings is included in Appendix A of this DEIS.

#### **6.1.2.2 Agency Review of Technical Document**

##### **State Historic Preservation Officer**

A CRAS report was completed in August 2001, and submitted to the FHWA for processing with the SHPO. The survey resulted in the documentation of 14 previously unrecorded historic structures and one previously recorded building, and one previously recorded historic archaeological site (Fort Hamer Site). Based on the results of the survey, these historic properties were considered ineligible for listing on the NRHP. The SHPO reviewed the CRAS and concurred with the findings of the survey. In a letter dated November 1, 2001, the SHPO stated that the proposed undertaking will have no effect on historic properties listed or eligible for listing in the NRHP or otherwise of historical or architectural value (see Appendix A).

##### **U.S. Fish and Wildlife Service**

The USFWS was contacted in July 2001 regarding their review of the Draft Wetland Evaluation Report for the Upper Manatee River study. USFWS will comment on the appropriateness of the proposed mitigation for direct and indirect wetland impacts through the FDOT Mitigation Review process and the USACOE permitting process. In their letter dated October 3, 2001 (Appendix A), the USFWS stated that the impacts to sea grasses are minimal and therefore not likely to adversely affect critical habitat for the West Indian manatee.

The USFWS was contacted in June 2001 regarding their review of the Endangered Species Biological Assessment for the Upper Manatee River study. The Biological Assessment identified four federally listed species that may potentially utilize or inhabit the study area. In a letter dated September 4, 2001, the USFWS concurred that, based on the use of Standard Manatee Construction Precautions and Standard Eastern Indigo Snake Protection Measures, the proposed project is not likely to adversely affect any federally listed species. The USFWS cannot determine if the project will adversely modify critical habitat for the manatee until a seagrass survey is completed for the proposed project. Ongoing coordination with the USFWS will continue throughout the design and permitting process. The USFWS correspondence is included as Appendix A.

##### **Southwest Florida Water Management District**

A Wetland Evaluation Report was submitted to SWFWMD in July 2001 for the subject project. The Wetland Evaluation Report describes the existing wetlands within the study corridor and presents qualitative and quantitative information regarding potential wetland impacts for the proposed improvements. In accordance with the FHWA policy as contained in 23 CFR 771, a full range of mitigation options was considered in developing the project, including avoidance,

minimization, restoration, enhancement and creation. It appears that SWFWMD may be able to provide appropriate mitigation for the proposed wetland impacts associated with the project. SWFWMD will continue evaluating mitigation options if this project proceeds into the design and permitting phase. The SWFWMD indicated that an ERP would be required for the project. The FDOT will meet all criteria as set forth in the ERP Applicants Handbook. Coordination and further detailed analyses will occur during the design phase of the project. A copy of the SWFWMD correspondence is included in Appendix A.

### **National Marine Fisheries Service**

A Wetland Evaluation Report was submitted to the NMFS for the subject project. As indicated in the report, the wetland impacts associated with the project are approximately 3.2 acres of direct wetland impacts and approximately 3.0 acres of indirect wetland impacts. Recognizing that the final project plans will be developed during the design stage of the project, appropriate mitigation will be determined via the FDOT/SWFWMD's Mitigation Core Group. The NMFS will complete the EFH consultation during the permitting phase of the project. The letter from NMFS dated August 17, 2001, is included in Appendix A.

### **6.1.3 PUBLIC INVOLVEMENT PROGRAM**

A copy of the Public Involvement Program developed for the Upper Manatee River study is provided in Appendix N. The Comments and Coordination Report, published separately, describes the methods by which property owners, elected and appointed officials, agencies, and other interested parties were notified of the project and its continuing status.

#### **6.1.3.1 Mailing Lists**

Mailing lists were compiled for property owners, elected and appointed officials, public agencies, other interested parties, and the news media. Throughout the study, the mailing lists were updated with names and addresses of those persons requesting to be placed on the list. The mailing lists used for the Public Hearing are included in Appendix O.

#### **6.1.3.2 Newsletters**

Three project newsletters were published and mailed, one in late August 2000, the second in early April 2001, and the third in early November 2002. The first newsletter encompassed the entire study area between US 301 and SR 64, and I-75 and Rye Road/CR 675 and discussed the alternative corridors within the study area. The second newsletter announced the selection of a preferred corridor and discussed the upcoming Public Information Workshop where feasible build alternatives within the selected corridor would be presented. The third newsletter announced the date of the Public Hearing and provided a description of the preferred alternative.

### **6.1.3.3 Project Website**

A project website was created for the Upper Manatee River study in order to disseminate project information and to receive comments throughout the life of the project. The website provided an additional forum for the public, agencies, and local government to participate in the study process and provide input to the study team. Requests for project information, comments regarding the project, and requests to be placed on the mailing list were received via the website. As stated above, 134 comments were received through the website during the 10-day comment period following the public hearing.

### **6.1.3.4 Public Meetings**

#### **Corridor Public Workshop**

The Corridor Public Workshop for Upper Manatee River Study took place on November 9, 2000 at the Carlos E. Haile Middle School in Bradenton, Florida. Approximately three thousand seven hundred (3,700) letters announcing the Workshop were mailed to property owners within the study area, public officials, and agencies. The study area was bounded by I-75 on the west, Rye Road/CR 675 on the east, SR 64 on the south, and US 301 on the north. A news release was sent to the media, and a one-quarter page legal display advertisement was published in the Bradenton Herald.

One hundred sixty-five (165) people signed the attendance sheets at the Workshop. Attendees were given a handout with information about each of the five corridors being presented (I-75, Upper Manatee/Fort Hamer Road, Rye Road/Golf Course Road, Rye Road/CR 675, and the No-Project Alternative). Included in the handout was a comment form with a brief project-specific survey. Project graphics and maps were on display for the public to review, as well as a brief power point presentation.

Sixty (60) written comments were received at the meeting; 60 comments were mailed to the FDOT within the ten-day comment period; and 15 comments were received from the project website. The project survey on the comment form asked people to rank the five alternatives in order of preference. Respondee gave the most #1 rankings (most preferred) to the Upper Manatee River/Fort Hamer Road corridor with I-75 being a close second. The No-Project Alternative received the most #5 rankings (least preferred). There were also general comments received asking the FDOT to take into consideration specific concerns such as: wildlife impacts, preservation of rural lifestyle, negative effects on river and wetlands, traffic noise, higher traffic volumes and speed, safety of children, impacts to Fort Hamer Park and historic ruins, and the owners' property values and rights.

Appendix P contains the Corridor Public Workshop materials including:

- Legal Advertisement,
- Invitational Letters,
- Powerpoint Presentation,
- Project Handout, and
- Summary of Survey Results and Comments.

### **Public Information Workshop**

The Upper Manatee River Public Information Workshop was held on May 14, 2001, from 5:00 p.m. until 8:00 p.m. at the Carlos E. Haile Middle School in Bradenton, Florida. Two hundred nineteen (219) invitational letters were mailed to property owners and interested citizens, as well as 39 agencies and elected officials. In addition, a newsletter announcing the Workshop was sent to the property owners within the entire study area (approximately 3,700), interested citizens, agencies, and public officials. A news release was sent to the media and a 1/4-page legal display advertisement was published in the Bradenton Herald.

A total of 154 people signed the attendance sheets at the Public Information Workshop. The Workshop was held to give the public the opportunity to view the proposed alternative alignments within the selected corridor. Attendees had a chance to view aerial photos, conceptual plans, and other project information. An informational video played continually throughout the workshop. Each member of the public was given a handout that contained specific information about each of the proposed alternatives and a comment form.

There were 38 comment forms received at the Workshop, 16 comment forms were mailed to the FDOT during the 10-day comment period, and 17 comments were received via the project website. Twenty-two (22) people chose the No-Project Alternative for various reasons including the following: bridge project is a waste of money, should widen I-75 instead, concern for the natural beauty of the area, too much development in the area, too much traffic, flooding, and concern for the ecology and wildlife of the area. Eleven (11) of the 22 people who chose the No-Project Alternative also included their preferences for a Build Alternative should the project continue. There were 19 comments in favor of the project and many of them stated it should begin as soon as possible. The remaining comments did not indicate a preference for any of the proposed alternatives.

Many of the comments did not select a preferred alternative, but noted concerns that they wanted the FDOT to consider in selecting the recommended alternative. Those concerns included mitigating for traffic noise, controlling speeding, minimizing impacts to wildlife and the environment (especially at the river crossing), pedestrian crossings for school children, and potential drainage problems. Many people have also expressed a concern for full access to their driveways and homes from the new expanded road; they would like to know more about the median openings.

Public Information Workshop materials are contained in Appendix Q and include:

- Legal Advertisement,
- Invitational Letters,
- Video Script,
- Project Handout, and
- Summary of Comments.

### **Special Manatee Board of County Commissioners Meeting**

On December 11, 2001, the Manatee County Board of County Commissioners conducted a special meeting to discuss the Upper Manatee River study. Invitational flyers were mailed to public agencies, elected officials, property owners within the study area, and interested parties on the project mailing lists. A power point presentation describing the project and its status was shown. Time was allowed for public comment.

### **Public Hearing**

A formal public hearing was held on Thursday, November 14, 2002, beginning at 6:00 p.m. at Carlos E. Haile Middle School, located at 9501 SR 64 East, Bradenton, Florida. The purpose of the hearing was to inform the public of the status of the study and to give all interested parties the opportunity to express their opinions regarding the location, design, socio-economic effects, and environmental impacts associated with the preferred alternative. The FDOT and its consultant team were present to discuss the project and answer questions for the general public during the informal portion of the hearing. Aerial photographs and display boards outlining the preferred alternative were on display. Information boards with the project schedule, typical sections, and project evaluation matrix were also on display. A project brochure was provided to the hearing attendees. The brochures described the project, the FDOT ROW acquisition procedures, and state and federal relocation assistance programs.

Five hundred eighty-one (581) persons registered at the sign-in table for the public hearing, but it was estimated that attendance exceeded 600. Mr. Ben Walker, FDOT Project Manager, presided at the hearing. Following the introduction and description of the public hearing format, a 28-minute video giving an overview of the project was presented. The audiovisual presentation summarized the project development process, the study alternatives that were considered, and described the preferred alternative and how it was selected. Following the video presentation, a 15-minute intermission was held during which meeting attendees could review the display materials and ask questions.



The next portion of the hearing provided an opportunity for the public to make oral comments for the public record. A court reporter was present to record the formal portion of the hearing. Thirty-seven (37) persons made oral comments during this time. Mr. Walker responded to comments when appropriate. The public hearing remained open until 11:00 p.m.

A total of 337 written comments were received, including e-mail comments (134); Sierra Club postcards (21); and project comment forms (182), on the day of the hearing or within the 10-day comment period. Several of the comments were requests for the project brochure or other project materials. Those materials were mailed out within two weeks after the hearing. The majority of the comments submitted, including verbal and written, were in opposition to the project for various reasons including safety, increased traffic, environmental damage, decreased quality of life, and increased traffic noise. There were also comments stating that the bridge was needed and should be built as soon as possible. Appendix R contains Public Hearing materials including:

- Legal Advertisements,
- Invitational Letters,
- Video Script,
- Project Handout,
- Public Hearing Transcript, and
- Summary of Comments.

## **6.2 ENVIRONMENTAL IMPACT STATEMENT**

### **6.2.1 NOTICE OF INTENT**

A Notice of Intent (NOI) for the Upper Manatee River EIS was prepared and subsequently published in the Federal Register on January 21, 2004. A copy of the NOI is included in Appendix S.

### **6.2.2 ADVANCE NOTIFICATION**

The FDOT, through the Advance Notification Process, informed federal, state, and local government agencies of the intent to raise the elevation of this study from an EA to an EIS. The FDOT distributed an Advance Notification package to the State of Florida DCA - State Clearinghouse in March 2004. Appendix A contains a copy of the Advance Notification package and the agency responses that were received by the FDOT. The agencies listed below received Advance Notification packages.

**6.2.2.1 Mailing List of Agencies**

**FEDERAL**

Federal Highway Administration, Division Administrator  
Federal Emergency Management Agency  
Federal Transit Administration  
U.S. Army Corps of Engineers  
U.S. Environmental Protection Agency - Region IV  
U.S. Geological Survey, Environmental Affairs Program  
U.S. Department of Interior - Bureau of Land Management  
U.S. Department of Interior - National Park Service  
U.S. Department of Commerce - National Oceanic and Atmospheric Administration  
U.S. Department of Commerce - National Marine Fisheries Service  
U.S. Department of Health and Human Services - Center for Environmental Disease Control  
U.S. Coast Guard 7th District  
U.S. Department of Housing and Urban Development  
U.S. Fish and Wildlife Service - Field Supervisor  
U.S. Department of Interior - Bureau of Indian Affairs

**STATE**

Florida State Clearinghouse - Department of Community Affairs  
Florida Department of Transportation - Environmental Management Office  
Florida Department of Transportation - Federal Aids Programs Coordinator

**LOCAL**

Sarasota/Manatee Metropolitan Planning Organization  
Manatee County Transportation Department  
Manatee County Board of County Commissioners

**OTHER**

Miccosukee Tribes of Indians of Florida  
Poarch Band of Creek Indians of Alabama  
Seminole Nation of Oklahoma  
Seminole Tribe of Florida  
Muskogee (Creek) Nation of Oklahoma

### 6.2.2.2 Summary of Agency Comments and FDOT Responses

Following is a summary of the comments received from the agencies as a result of the Advance Notification Process and the FDOT responses to those comments.

#### **FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**COMMENT:** ....as detailed project information is not yet available, the FDEP cannot determine the consistency of the bridge and roadway construction project at this time. Additional information is required concerning the project alignment and details of anticipated design, construction methodologies, and potential wetland resource impacts. Further coordination with SWFWMD regulatory staff is recommended early in the planning process.

**RESPONSE:** Comments noted. Coordination will be ongoing with FDEP and with SWFWMD throughout the planning, design and permitting phases of the project.

**COMMENT:** Based on the information contained in the Advance Notification and the agency comments, the state has determined that the allocation of federal funds for the proposed project is consistent with the Florida Coastal Management Program.

**RESPONSE:** Comment noted.

#### **TAMPA BAY REGIONAL PLANNING COUNCIL**

**COMMENT:** The TBRPC notes that the proposed project may impact regionally-significant Riverine and Intertidal Habitat as identified in its Strategic Regional Policy Plan. The project should meet the adopted policies regarding mitigation success, ratios, location, maintenance, and wetland habitat value and function criteria (SRPP Policies 4.5.2 - 4.5.6).

**RESPONSE:** Comment noted. The FDOT will continue to coordinate with the TBRPC and will continue to provide them with all of the environmental documents related to this project, for their review. Threatened and endangered species and wetlands mitigation will be further addressed during the design and permitting phase of the project.

#### **MANATEE COUNTY**

**COMMENT:** The Manatee County Board of County Commissioners supports the proposed project and notes that it is in compliance with Manatee County's Adopted Comprehensive Plan and the Manatee County portion of the Sarasota/Manatee MPO's Adopted Year 2025 LRTP.

**RESPONSE:** Comment noted.

**FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES**

**COMMENT:** Pursuant to the previous CRAS, it was determined that no historic resources listed or eligible for listing in the NRHP would be impacted by the proposed project.

**RESPONSE:** Comment noted.

**MICCOSUKEE TRIBE OF INDIANS OF FLORIDA**

**COMMENT:** Please direct all future correspondence to Mr. Steve Terry, Tribal Representative for Native American Graves Protection and Repatriation and Section 106 Consultation. We have no direct knowledge of any cultural, religious, or traditional sites at the proposed project location. We suggest that a cultural resources survey be conducted of the project area. We further request that we be kept informed of this project and receive a copy of the cultural resources survey.

**RESPONSE:** A CRAS was performed, completed, and subsequently approved by the SHPO. A copy of the approved CRAS was sent to the Tribe.

Appendix A contains the EIS Advance Notification package and the agency responses that were received by the FDOT.

**6.2.3 PUBLIC INVOLVEMENT PROGRAM**

Similar public involvement techniques were used during the EIS as in the earlier EA. The following section describes the methods by which property owners, elected and appointed officials, agencies, and other interested parties were notified of the project and its continuing status after the project was elevated to an EIS.

**6.2.3.1 Mailing Lists**

Mailing lists were compiled for property owners, elected and appointed officials, public agencies, other interested parties, and the news media. Throughout the study, the mailing lists were updated with names and addresses of those persons requesting to be placed on the list. The mailing lists used for the public meetings are included in Appendix T.

**6.2.3.2 Newsletters**

One project newsletter was published and mailed in May 2004. The newsletter was also the invitational letter for the EIS Alternatives Public Workshop. It encompassed the entire study area and discussed the alternative corridors within the study area.

### 6.2.3.3 *Public Meetings*

#### **Alternatives Public Workshop**

The Upper Manatee River EIS Alternatives Public Workshop was held on Thursday, June 3, 2004, from 5:00 p.m. to 8:00 p.m. at the Carlos E. Haile Middle School, 9501 SR 64 East, Bradenton, Florida. A project newsletter announcing the Public Workshop was mailed approximately three weeks prior to the Workshop to over 6,000 property owners, interested citizens, agencies, and public officials. A ¼ page display advertisement was published in the Bradenton Herald on May 20, 2004.

A total of 290 members of the public signed the attendance sheets at the Workshop. This represents approximately a 5 percent turnout based on the number of newsletters mailed. The Public Workshop was held to give persons the opportunity to express their views concerning the location and conceptual design of the proposed project and its social, economic, and environmental effects. Each attendee was given a handout that contained specific information about each of the proposed alternatives and a comment form.

Aerial photos, conceptual plans, and project information were on display for public viewing. Representatives from the FDOT were available to answer questions and receive comments. In addition, a project video was shown continuously throughout the workshop.

A total of 143 written comments were received at the Workshop, during the ten-day comment period, and on the project website. A summary of the written comments is included in Appendix U.

The comments received were sorted as follows:

In Favor of the Project:	34
Opposed to the Project:	103
No Preference:	6

Alternatives Public Workshop materials are contained in Appendix V and include:

- Legal Advertisement,
- Newsletter/Invitational Letter,
- Video Script,
- Project Handout, and
- Summary of Comments.

#### **6.2.4 SUMMARY**

Throughout the DEIS process, the FDOT has conducted a comprehensive public involvement program that proactively solicits public comment. The multi-faceted public involvement program offers many opportunities for community involvement and comment including public meetings, newsletters, mailing campaigns, agency meetings and consultations, a project website, and meetings with public officials. The accumulation of comments from this public involvement program, and the engineering and environmental analyses that were performed for the project, are the basis for the FDOT's selection of the preferred alternative.

### **6.3 COMMITMENTS AND RECOMMENDATIONS**

Based upon the potential environment impacts associated with the proposed project documented in this DEIS, the following recommendations and commitments are made:

- During the final design and permitting phases of the project, updated submerged aquatic vegetation (SAV) surveys will be conducted and coordinated with regulatory agencies to assess project impacts to this resource. Appropriate avoidance and minimization measure, where applicable, will be implemented to the greatest practicable extent.
- Wetland impacts which will result from the construction of this project will be mitigated to satisfy all requirements of 33 USC 1344.
- For project wetland areas designated as EFH, the FDOT agrees to implement the Preliminary EFH Conservation Recommendation by NFMS requesting compensatory mitigation for wetland functions lost to direct and indirect (shading) impacts on the SWFWMD/FDOT Mitigation Inventory.
- Due to the presence of active and inactive gopher tortoise burrows within and adjacent to the existing ROW, a survey of suitable habitat within construction limits (including roadway footprint, and stormwater management ponds) will be performed prior to construction. Agency coordination will be completed as necessary.
- Florida sandhill cranes have been observed in the project study area. The FDOT will commit to resurveying the impact area for nesting Florida sandhill cranes prior to construction if construction will commence within appropriate nesting habitat (freshwater marshes) during the nesting season (January through June). If sandhill crane nests are located, the FDOT will coordinate with the FWC as appropriate.
- The FDOT construction precautions for the Eastern indigo snake will be adhered to during construction of the project, see Appendix L.

- The FDOT construction precautions for the manatee will be adhered to during construction of the project, see Appendix M.
- Based on the noise evaluation performed to date, the FDOT is committed to the further consideration of a noise barrier during the final design phase at the residential neighborhood in Segment 3 described as “Residential Neighborhood Along 4th Street SE North of Hancock Avenue SE (Sta. 285 to Sta. 293).” The traffic noise evaluation at this location will be refined using specific horizontal and vertical alignment data along with other site specific parameters developed during design.
- Due to the increase of housing construction adjacent to the project, the FDOT commits to conducting a land use review during the design phase to identify noise sensitive sites adjacent to the project that may have received a building permit subsequent to this noise study but prior to the date of public knowledge for the project (Location and Design Concept Acceptance). If the review indicates that any noise sensitive sites were permitted prior to the date of public knowledge, those sites will then be evaluated for traffic noise as well as abatement considerations.
- There will be continued coordination with applicable local agencies regarding bicycle and pedestrian facilities. The FDOT has formally presented the project to the Sarasota/Manatee MPO, the Manatee County Planning Department, and the Manatee Board of County Commissioners and will continue that coordination. The decision to utilize a formal dedicated bicycle lane and pedestrian walkway on Upper Manatee River/Fort Hamer Road and Rye Road/Golf Course Road/Fort Hamer Road was made by the Manatee County Transportation and Planning Departments, and fully coordinated with the MPO.
- Aesthetic treatment opportunities along the project corridor will be incorporated during the design phase of this project.
- Opportunities to add architectural features to the approaches, piers, lighting, and superstructure of the new bridge that will minimize visual and aesthetic impacts to the immediate area will be incorporated in the design phase of this project.
- Landscape features associated with the proposed roadway and the area of the approaches to the new bridge will be incorporated during the design phase of this project.

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***APPENDIX K-1***  
**FHWA Coordination**



## APPENDIX K - FHWA 2007 DEIS COMMENTS AND COORDINATION CHAPTER

### Table of Contents

#### APPENDIX K-1

##### FHWA Coordination

<u>Date</u>	<u>Source</u>	<u>Subject</u>
05/01/1998	Florida Dep. of State (FDOS) Division of Historical Resources (DHR) State Historic Preservation Office (SHPO)	Concurrence
07/09/1999	Florida Dep. of Transportation (FDOT) to State Clearinghouse (SCH)	Advanced Notification (AN)
07/13/1999	Federal Aviation Administration (FAA)	AN Receipt
07/13/1999	SCH Response Sheet	AN Receipt
07/21/1999	Tampa Bay Regional Planning Council (TBRPC)	AN Receipt
07/26/1999	Southwest Florida Water Management District (SWFWMD)	AN Receipt
07/28/1999	U.S. Coast Guard (USCG)	AN Receipt
08/02/1999	TBRPC	AN Receipt
08/19/1999	U.S. Dep. of Commerce (USDOC) National Oceanic & Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) Southeast Regional Office (SRO)	AN Receipt
08/23/1999	Florida Dep. of Environmental Protection (FDEP)	AN Receipt
08/26/1999	Florida Fish and Wildlife Conservation Commission (FWC)	AN Receipt (2)
08/26/1999	FDOS DHR (SHPO)	Coastal Zone Management Program
08/27/1999	Florida Dep. of Community Affairs (FDCA)	AN Receipt

## **APPENDIX K - FHWA 2007 DEIS COMMENTS AND COORDINATION CHAPTER**

### **Table of Contents**

09/24/1999	Florida Dep. of Agriculture & Consumer Services (FDACS)	AN Receipt
05/10/2000	USDOC NOAA NMFS SRO	No Species/No Involvement
05/19/2000	US Fish and Wildlife Service (FWS)	Protected Species List Concurrence
10/23/2000	FDCA	Summary of State Responses
12/18/2000	U.S. Dep. of Health and Human Services (USDHHS)	AN Receipt
05/22/2001	Meeting at USCG/FDOT	Navigation
06/07/2001	Manatee County Parks & Recreation	Statement of Significance
07/31/2001	Federal Highway Administration (FHWA)	Section 4(f) Determination - Not Apply
08/06/2001	SWFWMD	Review of Wetlands Evaluation Report (WER)
08/17/2001	USDOC NOAA NMFS SRO	Review of WER
09/04/2001	USFWS	Review of Endangered Species Biological Assessment (ESBA)
10/03/2001	USFWS	Review of WER
10/26/2001	FDOS DHR (SHPO)	Correspondence
11/01/2001	FDOS DHR (SHPO)	No Effect Concurrence
12/11/2001	Manatee County Board of County Commissioners (MC BOCC)/FDOT	Public Meeting - Bridge

## **APPENDIX K - FHWA 2007 DEIS COMMENTS AND COORDINATION CHAPTER**

### **Table of Contents**

03/10/2003	MC BOCC/FDOT	Public Meeting - Bridge
02/06/2004	FDOT/Seminole Tribe of Florida, THPO	Coordination Meeting
03/02/2004	Draft FDOT cover letter to SCH, with map, mailing list, fact sheet	Resubmittal of AN
08/04/2004	ACI to URS, FDOT	THPO Correspondence
07/19/2005	FDOS DHR (SHPO)	No Effect Concurrence (2)

FLORIDA DEPARTMENT OF STATE  
Office of the Secretary  
Office of International Relations  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs



MEMBER OF THE FLORIDA CABINET  
Division of Library & Information Services  
Division of Historical Resources  
Ringling Museum of Art  
Division of Licensing  
Division of Elections

FLORIDA DEPARTMENT OF STATE  
Sandra B. Mortham  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

May 1, 1998

Mr. Richard W. Estabrook  
Janus Research  
P.O. Box 919  
St. Petersburg, Florida 33731

In Reply Refer To:  
Frank J. Keel  
Historic Preservation Planner  
Project File No. 982638

RE: Cultural Resource Assessment Review Request  
*Phase II Archaeological Investigations of the Fort Hamer Site (8MA315) in Manatee County, Florida.* By Janus Research, April 1998.

Dear Mr. Estabrook:

In accordance with the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), as well as with the provision contained in Section 373.414, *Florida Statutes* and Chapter 1A-46, *Florida Administrative Code*, we have reviewed the results of the archaeological investigations for the referenced project and find them to be complete and sufficient.

We note that the additional archaeological investigations conducted at the Fort Hamer (8MA315) failed to produce evidence of subsurface features. We concur with your determination that the portion of the Fort Hamer site within the project area is not eligible for listing in the National Register. Therefore, it is the opinion of this office that the project area will have no effect on historic properties listed or eligible for listing in the *National Register of Historic Places*, or otherwise of historical or archaeological value.

If you have any questions concerning our comments, please do not hesitate to contact us. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

*for* *Laura A. Kammerer*  
George W. Percy, Director  
Division of Historical Resources  
and  
State Historic Preservation Officer

GWP/Kfk

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • (850) 488-1480  
FAX: (850) 488-3353 • WWW Address <http://www.dos.state.fl.us>

☐ ARCHAEOLOGICAL RESEARCH  
(850) 487-2299 • FAX: 414-2207

☒ HISTORIC PRESERVATION  
(850) 487-2333 • FAX: 922-0496

☐ HISTORICAL MUSEUMS  
(850) 488-1484 • FAX: 921-2503



## Florida Department of Transportation

JEB BUSH  
GOVERNOR

THOMAS F. BARRY, JR.  
SECRETARY

July 9, 1999

Mr. Glen Church  
Florida State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oaks Blvd.  
Tallahassee, Florida 32399-2100

**SUBJECT: Advance Notification**  
**Financial Management Number: 199668-1**  
**Federal Aid Project Number: 8888 650 A**  
**Upper Manatee River Road from SR 64 to US 301**  
**Manatee County, Florida**

Dear Mr. Church:

The attached Advance Notification Package and ten (10) copies are forwarded to your office for processing through appropriate State agencies in accordance with Executive Order 95-359. Distribution to local and federal agencies is being made as noted.

Although more specific comments will be solicited during the permit coordination process, we request that permitting and permit reviewing agencies review the attached information and furnish us with whatever general comments they consider pertinent at this time.

The Upper Manatee River Road study area is located approximately 4.5 miles east of Interstate 75 in Manatee County. The study area parallels I-75, extending north/south from SR 64 to US 301 for a distance of approximately 6 miles. Currently, the roadways within the project area are discontinuous, separated by the Manatee River. The primary existing roadways within the study area are Upper Manatee River Road, located south of the river connecting to SR 64, and Fort Hamer Road, located north of the river connecting to US 301. A new bridge crossing over the Manatee River within the study area is being considered to relieve congestion on I-75 and improve local traffic circulation. A project location map is included with this package.

This is a Federal-aid action and the Florida Department of Transportation, in consultation with the Federal Highway Administration, will determine what degree of environmental documentation will be necessary. The determination will be based upon in-house environmental evaluations and comments received through coordination with other agencies. Please provide a consistency review for this project in accordance with the State's Coastal Zone Management Program.

In addition, please review this improvement's consistency, to the maximum extent feasible, with the approved Comprehensive Plan of the local government jurisdiction(s) pursuant to Chapter 163, Florida Statutes.

We are looking forward to receiving your comments on the project within 45 days. Should additional review time be required, a written request for an extension of time must be submitted to our office within the 45 day comment period.

Your comments should be addressed to:

Mr. Bryan Williams  
District Environmental Manager  
Florida Department of Transportation  
Post Office Box 1249  
Bartow, Florida 33830-1249

Your expeditious handling of this notice will be appreciated.

Sincerely,



Bryan Williams  
District Environmental Manager

HBW/GGP/ggp

Attachments

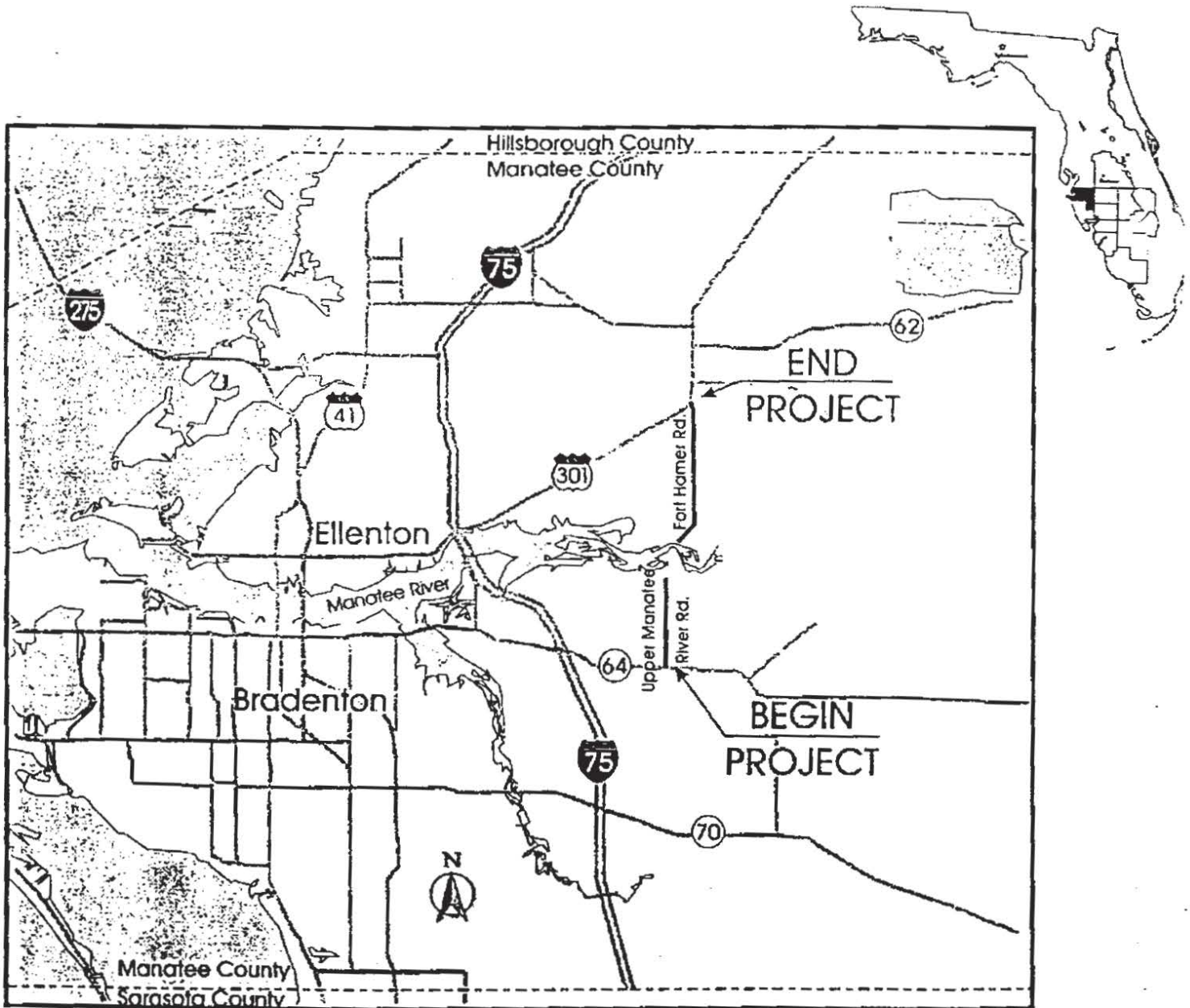
Advance Notification Fact Sheet (Form 650-040-08)  
Advance Notification Mailing List  
Application for Federal Assistance  
Project Location Map



Florida State Clearinghouse, Department of Community Affairs  
Federal Highway Administration, Division Administrator  
US Environmental Protection Agency, Region IV  
Federal Emergency Management Agency  
US Department of the Interior, Fish and Wildlife Service  
Federal Railroad Administration  
Federal Aviation Administration  
US Department of the Interior, Bureau of Land Management  
U.S. Department of Housing and Urban Development  
US Army Corps of Engineers  
US Geological Survey, Environmental Affairs Program  
US Department of Commerce, National Marine Fisheries Service  
US Department of the Interior, National Park Service  
US Department of Health and Human Services, Centers for Disease Control  
US Department of Commerce, National Oceanic and Atmospheric Administration  
U.S. Coast Guard  
US Fish and Wildlife Service, Field Supervisor  
Florida Department of Environmental Protection, Marine Fisheries Commission  
Florida Department of Transportation, Federal Aid Programs Coordinator  
Florida Department of Transportation, Environmental Management Office  
Department of Agriculture and Consumer Services, Division of Plant Industry  
Florida Department of Environmental Protection, Division of State Lands, Bureau of Submerged Lands and Preserves  
Florida Department of Environmental Protection, Southwest District  
Florida Game and Fresh Water Fish Commission, Office of Environmental Services  
Southwest Florida Water Management District  
Southwest Florida Regional Planning Council  
Tampa Bay Regional Planning Council  
Florida Department of State, Division of Historical Resources  
Manatee County Board of County Commissioners

# PROJECT LOCATION MAP

Upper Manatee River Road and Fort Hamer Road  
from S.R. 64 to U.S. 301



FM No.: 199668-1-22-01  
Work Program Item No.: 1125159  
Federal Aid Project No: 8888-650-A  
Manatee County



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
ADVANCE NOTIFICATION FACT SHEET

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**1. NEED FOR PROJECT**

The Florida Department of Transportation is conducting a Project Development and Environmental (PD&E) Study to determine the type and location of a new north/south roadway from SR 64 to US 301 (SR 43), which includes a new bridge crossing of the Manatee River. The project will be approximately seven (7) miles in length.

New planned subdivisions are being constructed, and proposed along the west side of Upper Manatee River Road and Fort Hamer Road. These new developments include Waterlefe Golf and Country Club, which will occupy 622 acres along the southern shore of the Manatee River at the northwest corner of Upper Manatee River Road, and The River Wilderness residential development, north of the Manatee River, which consists of 1400 acres with 965 planned residential units. Other developments which will have an impact on the study area are Heritage Sound with 5000 new homes planned in the northeast quadrant of the I-75/SR 64 interchange, and Lakewood Ranch Development, south of the SR 64/Upper Manatee River Road intersection.

Because of this rapid growth, a new north/south roadway with a new bridge crossing of the Manatee River connecting SR 64 to US 301 is essential to providing an acceptable level of mobility and continuity in this area of Manatee County. Preliminary reviews of current and projected traffic conditions indicate that improvements will be needed to improve operational characteristics, enhance system continuity, and accommodate anticipated traffic volumes within the study area. These improvements should also reduce crashes, and enhance traffic movement along the roadway.

The project is consistent with the Sarasota/Manatee MPO's currently adopted Year 2020 Financially Feasible Long Range Transportation Plan and the Manatee County Comprehensive Plan, and will facilitate transportation connectivity in this rapidly developing area of Manatee County.

**2. DESCRIPTION OF THE PROJECT**

The Upper Manatee River Road study area is located approximately 4.5 miles east of Interstate 75 in Manatee County. The study area parallels I-75, extending north/south from SR 64 to US 301 for a distance of approximately 6 miles. Currently, the roadways within the project area are discontinuous, separated by the Manatee River. The primary existing roadways within the study area are Upper Manatee River Road, located south of the river connecting to SR 64, and Fort Hamer Road, located north of the river connecting to US 301. A new bridge crossing over the Manatee River within the study area is being considered to relieve congestion on I-75 and improve local traffic circulation.

a. Existing Typical Section: The only existing north/south roads in the project area are Upper Manatee River Road and Ft. Hamer Road. Upper Manatee River Road is a two-lane undivided rural roadway with an eighty (80) foot right-of-way. Fort Hamer Road is a two-lane undivided rural roadway with a sixty (60) foot right-of-way.



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
ADVANCE NOTIFICATION FACT SHEET

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b. Drainage: Drainage from Upper Manatee River Road sheet flows into swales and open ditches. There are no existing storm water treatment facilities serving the existing facilities.

d. Utilities: Both buried and aerial utilities are present within the right-of-way. These could include, but would not be limited to, buried and over-head telephone lines, buried and over-head electric power lines, water mains, force mains, and underground television cable lines. Utilities affected by the project will be identified for relocation / replacement during the study.

### 3. ENVIRONMENTAL INFORMATION

#### a. LAND USE

The southern terminus of the project corridor is marked by SR 64 and Lakewood Ranch Road. A large planned development is currently under construction south of SR 64 in this area. Continuing northward, there are three large existing subdivisions, and one large planned development. The project corridor then proceeds northward across the Manatee River, which includes various marshes and the associated floodplain. The roadway north of the river is Ft. Hamer Road. Proceeding northward, it is characterized by Ft. Hamer park, several large planned developments, and some scattered rural residences. The project corridor continues northward to US 301 and terminates in Parrish.

#### b. WETLANDS

There are wetlands associated with the project corridor. These include the Manatee River and associated floodplains. Other systems consist of black needle rush (*Juncus roemerianus*) marshes, mangroves, scattered patchy seagrasses, and other emergent wetland systems.

Jurisdiction over affected wetlands will be shared by the U.S. Army Corp of Engineers, the Department of Environmental Protection, and the Southwest Florida Water Management District. A comprehensive wetland study, including complete agency coordination and determination of impacts to jurisdictional wetlands will be completed during this Project Development and Environment Study, and the findings will be documented in a Wetlands Evaluation Report.

#### c. FLOODPLAIN

A review of the FEMA maps for the project corridor (120153 0220 C) reveal the majority of the project corridor is located in FEMA Zone AE (areas of the 100 year flood, base flood elevations determined), with isolated pockets of Zone X (Areas of 500 year flood or areas within the 100 year flood with average depths of less than 1 foot). The channel of the Manatee River is a designated floodway.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
ADVANCE NOTIFICATION FACT SHEET

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d. WILDLIFE AND HABITAT

The Manatee River has been designated by the US Fish and Wildlife Service as Critical Habitat for the West Indian manatee (*Trichechus manatus*). In addition, the project corridor is located within the secondary zone of an active bald eagle nest. There are other listed species that may be present within the project corridor, including gopher tortoises, burrowing owl, fox squirrel, sandhill cranes, and other wading birds. A complete Biological Assessment, including agency coordination, will be completed during this Project Development and Environment Study.

e. OUTSTANDING FLORIDA WATERS

There are no Outstanding Florida Waters found within the project corridor. — — —

f. AQUATIC PRESERVES

There are no Aquatic Preserves within the project corridor.

g. COASTAL ZONE CONSISTENCY DETERMINATION ☒ Yes ☐ No

Currently, all counties in Florida are subject to Coastal Zone Consistency.

h. CULTURAL RESOURCES

The Ft. Hamer site has been previously recorded as an historic refuse site. In addition, this site is now a recreational area (Ft. Hamer Park). There are various other known resources present in the area, however, they have not been located at this time. These include the Ft. Hamer Army supply depot, a ferry crossing with loading docks, and the potential for numerous historic period burials. A comprehensive Cultural Resources Assessment Survey, with complete agency coordination, will be completed during this Project Development and Environment Study.

i. COASTAL BARRIER RESOURCES N/A

j. CONTAMINATION

Based on a field reconnaissance, a review of Florida Department of Transportation Location Files, and Florida Department of Environmental Protection records review, the project study area would appear to have a minimum risk probability of hazardous materials/petroleum contamination involvement associated with right-of-way acquisitions. However, there are petroleum product users/distributors and hazardous materials/waste



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
ADVANCE NOTIFICATION FACT SHEET

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sites within the project corridor. A comprehensive contamination screening will be conducted during this Project Development and Environmental Study.

k. **SOLE SOURCE AQUIFER**

The project is located outside of the boundaries of the Biscayne Aquifer, including the streamflow and recharge source zones.

l. **OTHER TOPICS OR COMMENTS**    N/A

4. **NAVIGABLE WATERWAYS:**    ☐ Yes    ☐ No

This project involves a crossing of the Manatee River, and the need for a permit from the U.S. Coast Guard is anticipated. An official determination will be made later in the project study under 23 CFR 650, Subpart H, Section 650.805, regarding whether or not a U.S. Coast Guard permit is required.

5. **PERMITS REQUIRED:**

Various permit applications will be required to be filed and approved prior to construction. The list of potential agencies requiring permits includes, but may not be limited to the following:

- a. The U.S. Army Corps of Engineers
- b. Department of Environmental Protection
- c. South Florida Water Management District
- d. The U.S. Coast Guard

# APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Preapplication <input type="checkbox"/> <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction <input type="checkbox"/> Non-Construction		<b>2. DATE SUBMITTED</b> June 25, 1999	Applicant Identifier 199668-1
<b>3. DATE RECEIVED BY STATE</b>		State Application Identifier	
<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>		Federal Identifier 8888 650 A	

<b>5. APPLICANT INFORMATION</b> Legal Name: Florida Department of Transportation Address (give city, county, state, and zip code): 605 Suwannee Street Tallahassee, FL 32399-0450		Organizational Unit: Office of Design Name and telephone number of the person to be contacted on matters involving this application (give area code): Bryan Williams (941) 519-2368
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<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> <div style="border: 1px solid black; padding: 2px; display: inline-block;">         5 9 - 6 0 0 1 8 7 4       </div>	<b>7. TYPE OF APPLICANT: (enter appropriate letter in box)</b> <span style="border: 1px solid black; padding: 2px; display: inline-block;">A</span>  <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;">           A. State            B. County            C. Municipal            D. Township            E. Interstate            F. Intermunicipal            G. Special District         </div> <div style="width: 48%;">           H. Independent School Dist.            I. State Controlled Institution of Higher Learning            J. Private University            K. Indian Tribe            L. Individual            M. Profit Organization            N. Other (Specify) _____         </div> </div>
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<b>8. TYPE OF APPLICATION:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision  If Revision, enter appropriate letter(s) in box(es) <span style="border: 1px solid black; padding: 2px; display: inline-block;">  </span> <span style="border: 1px solid black; padding: 2px; display: inline-block;">  </span>  <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">A. Increase Award</div> <div style="width: 30%;">B. Decrease Award</div> <div style="width: 30%;">C. Increase Duration</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">D. Decrease Duration</div> <div style="width: 30%;">Other (specify): _____</div> </div>	<b>9. NAME OF FEDERAL AGENCY:</b> U.S. Department of Transportation
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<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> <div style="border: 1px solid black; padding: 2px; display: inline-block;">         2 0 - 2 0 5       </div> TITLE: Highway Planning & Construction	<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> Upper Manatee River Road WPI # 1125159
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<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> Manatee County	
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<b>13. PROPOSED PROJECT</b> Start Date _____ Ending Date _____	<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant _____ b. Project D-44
-------------------------------------------------------------------	------------------------------------------------------------------------------

<b>15. ESTIMATED FUNDING:</b> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">a. Federal</td> <td style="width:60%;">\$ 7,291,770.00</td> <td style="width:20%;">.00</td> </tr> <tr> <td>b. Applicant</td> <td>\$</td> <td>.00</td> </tr> <tr> <td>c. State</td> <td>\$ 5,930,030.00</td> <td>.00</td> </tr> <tr> <td>d. Local</td> <td>\$ 1,112,500.00</td> <td>.00</td> </tr> <tr> <td>e. Other</td> <td>\$</td> <td>.00</td> </tr> <tr> <td>f. Program Income</td> <td>\$</td> <td>.00</td> </tr> <tr> <td>g. TOTAL</td> <td>\$ 14,334,300.00</td> <td>.00</td> </tr> </table>	a. Federal	\$ 7,291,770.00	.00	b. Applicant	\$	.00	c. State	\$ 5,930,030.00	.00	d. Local	\$ 1,112,500.00	.00	e. Other	\$	.00	f. Program Income	\$	.00	g. TOTAL	\$ 14,334,300.00	.00	<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>  a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE June 25, 1999  b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
a. Federal	\$ 7,291,770.00	.00																				
b. Applicant	\$	.00																				
c. State	\$ 5,930,030.00	.00																				
d. Local	\$ 1,112,500.00	.00																				
e. Other	\$	.00																				
f. Program Income	\$	.00																				
g. TOTAL	\$ 14,334,300.00	.00																				

<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," attach an explanation.	
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**18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.**

<b>a. Type Name of Authorized Representative</b> Bryan Williams	<b>b. Title</b> District Environmental Manager	<b>c. Telephone Number</b> (941) 519-2368
<b>d. Signature of Authorized Representative</b> <i>Bryan Williams</i>	<b>e. Date Signed</b> 7/8/99	

In addition, please review this improvement's consistency, to the maximum extent feasible, with the approved Comprehensive Plan of the local government jurisdiction(s) pursuant to Chapter 163, Florida Statutes.

We are looking forward to receiving your comments on the project within 45 days. Should additional review time be required, a written request for an extension of time must be submitted to our office within the 45 day comment period.

Your comments should be addressed to:

Mr. Bryan Williams  
District Environmental Manager  
Florida Department of Transportation  
Post Office Box 1249  
Bartow, Florida 33830-1249



Your expeditious handling of this notice will be appreciated.

Sincerely,

*Bryan Williams*

Bryan Williams  
District Environmental Manager

HBW/GGP/ggp

Attachments

Advance Notification Fact Sheet (Form 650-040-08)  
Advance Notification Mailing List  
Application for Federal Assistance  
Project Location Map

*No effect*  
*Miguel A. Mats*  
*FAA, Project Manager*  
*7/12/99*



COUNTY: Manatee

Message:

DATE: 07/13/1999  
COMMENTS DUE-2 WKS: 07/28/1999  
CLEARANCE DUE DATE: 08/27/1999  
SAIF#: FL9907130596C

STATE AGENCIES

Agriculture  
Community Affairs  
Environmental Protection  
Fish & Wildlife Conserv. Comm  
OTTED  
State

WATER MANAGEMENT DISTRICTS

Southwest Florida WMD

OPB POLICY UNITS

X Environmental Policy/C & ED

RECEIVED

JUL 20 1999

OFFICE OF PLANNING  
& BUDGETING  
ENVIRONMENTAL POLICY UNIT

RECEIVED  
AUG 08 1999

State of Florida Clearinghouse

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- ☒ Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- ☐ Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- ☐ Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- ☐ Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

U.S. Department of Transportation - Federal Highway Administration - Highway Planning and Construction - Advance Notification - Financial Management Number: 19966801 - Federal Aid Project Number: 8888 650 A - Work Program Item No.: 1125159 - Upper Manatee River Road from SR 64 to US 301 - Manatee County, Florida.

To: Florida State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100  
(850) 922-5438 (SC 292-5438)  
(850) 414-0479 (FAX)

EO. 12372/NEPA

- ☒ No Comment  
☐ Comments Attached  
☐ Not Applicable

Federal Consistency

- ☐ No Comment/Consistent  
☐ Consistent/Comments Attached  
☐ Inconsistent/Comments Attached  
☐ Not Applicable

From:

Division/Bureau:

Environment/OPB

Reviewer:

Dennis K. Sullivan

FL DA STATE CLEARINGHOUSE  
 RPC INTERGOVERNMENTAL COORDINATION  
 AND RESPONSE SHEET

SAI #: FL9907130596C

DATE: 07/13/1999

COMMENTS DUE TO CLEARINGHOUSE: 08/12/1999

AREA OF PROPOSED ACTIVITY: COUNTY: Manatee County

☒ FEDERAL ASSISTANCE ☐ DIRECT FEDERAL ACTIVITY ☐ FEDERAL LICENSE OR PERMIT ☐ OCS

## PROJECT DESCRIPTION

U.S. Department of Transportation - Federal Highway Administration - Highway Planning and Construction - Advance Notification -  
 Financial Management Number: 19966801 - Federal Aid Project Number: 888-50 A - Work Program Item No.: 1125159 - Upper  
 Manatee River Road from SR 64 to US 301 - Manatee County, Florida.

## ROUTING:

RPC

X Tampa Bay RPC

PLEASE CHECK ALL THE LOCAL GOVERNMENTS BELOW FROM WHICH COMMENTS HAVE BEEN RECEIVED; ALL COMMENTS RECEIVED SHOULD BE INCLUDED IN THE RPC'S CLEARINGHOUSE RESPONSE PACKAGE. IF NO COMMENTS WERE RECEIVED, PLEASE CHECK "NO COMMENT" BOX AND RETURN TO CLEARINGHOUSE.

COMMENTS DUE TO RPC: 08/03/1999

X Manatee County - see attached

NO COMMENTS:

see attached

(IF THE RPC DOES NOT RECEIVE COMMENTS BY THE DEADLINE DATE, THE RPC SHOULD CONTACT THE LOCAL GOVERNMENT TO DETERMINE THE STATUS OF THE PROJECT REVIEW PRIOR TO FORWARDING THE RESPONSE PACKAGE TO THE CLEARINGHOUSE.)

## NOTES:

ALL CONCERNS OR COMMENTS REGARDING THE ATTACHED PROJECT (INCLUDING ANY RPC COMMENTS) SHOULD BE SENT IN WRITING BY THE DUE DATE TO THE CLEARINGHOUSE. PLEASE ATTACH THIS RESPONSE FORM AND REFER TO THE SAI# IN ALL CORRESPONDENCE.

IF YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED PROJECT, PLEASE CONTACT THE STATE CLEARINGHOUSE AT (904) 922-5438 OR SUNCOM 272-5438.



**RECEIVED**

# FLORIDA STATE CLEARINGHOUSE LOCAL GOVERNMENT COORDINATION ROUTING SHEET

**PLANNING**

JUL 19 1999

**DEPARTMENT**

JUL 21 1999

Tampa Bay Regional  
SAI #Planning Council

DATE: 07/13/1999

COMMENTS DUE TO RPC: 08/04/1999

AREA OF PROPOSED ACTIVITY: COUNTY: Manatee County

☒ FEDERAL ASSISTANCE
 ☐ DIRECT FEDERAL ACTIVITY
 ☐ FEDERAL LICENSE OR PERMIT
 ☐ OCS
**PROJECT DESCRIPTION**

U.S. Department of Transportation - Federal Highway Administration - Highway Planning and Construction - Advance Notification  
 Financial Management Number: 19966801 - Federal Aid Project Number: 888-000A - Work Program Item No.: 1125159 - Upper  
 Manatee River Road from SR 64 to US 301 - Manatee County, Florida.

**ROUTING:**RPCLocal GovernmentsTampa Bay RPCManatee County

IF YOU HAVE NO COMMENTS, PLEASE CHECK HERE AND RETURN FORM TO RPC: ☒

ALL CONCERNS OR COMMENTS REGARDING THE ATTACHED PROJECT SHOULD BE SENT IN WRITING BY THE DUE DATE TO THE REGIONAL PLANNING COUNCIL SHOWN BELOW. PLEASE REFER TO THE SAI # IN ALL CORRESPONDENCE:

Mr. John Meyer  
 Tampa Bay Regional Planning Council  
 9455 Koger Boulevard  
 Suite 219  
 St. Petersburg, FL 337022491

*Handwritten signature*  
 7/20/99

**IMPORTANT: PLEASE DO NOT SEND COMMENTS DIRECTLY TO THE CLEARINGHOUSE!**

IF YOU HAVE QUESTIONS REGARDING THE ATTACHED PROJECT OR THE INTERGOVERNMENTAL COORDINATION PROCESS, PLEASE CONTACT THE STATE CLEARINGHOUSE. IF YOU HAVE QUESTIONS REGARDING THE FEDERAL CONSISTENCY REVIEW PROCESS, PLEASE CONTACT THE FLORIDA COASTAL MANAGEMENT PROGRAM. THE TELEPHONE NUMBER FOR BOTH PROGRAMS IS (850) 922-5438 OR SUNCOM 292-5438.



*Tampa Bay Regional Planning Council*

Chairman  
Barbara Romano

Vice-Chairman  
Commissioner Chris Hart

Secretary/Treasurer  
Frederick T. Reeves

Executive Director  
Manny L. Pumariega

July 21, 1999

Ms. Cherie Trainor  
Florida State Clearinghouse  
Florida Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Subject: IC&R #243-99, Upper Manatee River Road Grant Application, Manatee County

Dear Ms. Trainor:

This letter constitutes acknowledgment and preliminary assessment of an application for the aforementioned project submitted under the provisions of Florida's Intergovernmental Coordination and Review (IC&R) process.

While we *do* find the proposal to be regionally significant, initial in-house review does not indicate the necessity for action by the Council. All member local governments of the Tampa Bay Regional Planning Council's (TBRPC) Clearinghouse Review Committee and TBRPC's full policy board will be notified of the application for any comments concerning local significance. The applicant will be contacted if any local concerns are identified.

Regionally significant natural resources as identified with the Council's adopted *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region* are located in the proximity of the proposed road/bridge construction. TBRPC staff can be contacted if further information is needed at present prior to the formal permit coordination process.

In accordance with the State's delegated IC&R review requirements, this project is considered to have met the requirements of the IC&R process and no further review will be required by our Agency. This letter constitutes compliance with IC&R only and does not preclude the applicant from complying with *other* applicable grant requirements or regulations.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Kristi Thum, Associate Planner  
Intergovernmental Coordination & Review

KT/bj

9455 Koger Boulevard, Suite 219, St. Petersburg, FL 33702-2491  
Phone (727) 577-5151 FAX (727) 570-5118 Suncom 586-3217  
<http://www.tbrpc.org>





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# Southwest Florida Water Management District

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)  
SUNCOM 578-2070

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(941) 534-1448 or  
1-800-492-7862 (FL only)  
SUNCOM 572-6200

2379 Broad St., Brooksville, Florida 34609-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)  
World Wide Web: <http://www.swfwmd.state.fl.us>

**Venice Service Office**  
115 Corporation Way  
Venice, Florida 34292-3524  
(941) 486-1212 or  
1-800-320-3503 (FL only)  
SUNCOM 526-6900

**Lecanto Service Office**  
3600 West Sovereign Path  
Suite 226  
Lecanto, Florida 33548-18070  
(352) 527-8131  
SUNCOM 667-3271

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Chair, Lake Wales

**Brenda Menendez**  
Vice Chair, Tampa

**Sally Thompson**  
Secretary, Tampa

**Ronnie E. Duncan**  
Treasurer, Safety Harbor

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Wauchula

**Rebecca M. Eger**  
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Bradenton

**Watson L. Haynes, II**  
St. Petersburg

**John K. Renke, III**  
New Port Richey

**Pamela Stinnette-Taylor**  
Tampa

**E. D. "Sonny" Vergara**  
Executive Director

**Gene A. Heath**  
Assistant Executive Director

**Edward B. Helvenston**  
General Counsel

July 26, 1999

Ms. Cherie Trainor  
Florida State Clearinghouse  
Department Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Subject: FDOT Advance Notification of bridge crossing of Manatee River connecting Upper  
Manatee River Road and Fort Hamer Road, Manatee County

SAI#: FL9907130596C

Dear Ms. Trainor:

The staff of the Southwest Florida Water Management District (District) has conducted a consistency evaluation for the project referenced above. Consistency findings are divided into four categories and are based solely on the information provided in the subject application.

FINDING	CATEGORY
	Consistent/No Comment
	Consistent/Comments Attached
	Inconsistent/Comments Attached
X	Consistency Cannot be Determined Without an Environmental Assessment Report or Additional Information/Comments Attached

**Comment:** The proposed project crosses the Manatee River in an area of high quality wetlands and marshes. It is recommended that the river and associated floodplains be bridged to the greatest extent possible minimizing fill and causeway construction in order to protect natural habitats in this rapidly developing part of Manatee County..

This review does not constitute permit approval under Chapter 373, Florida Statutes, or any rules promulgated thereunder, nor does it stand in lieu of normal permitting procedures in accordance with Florida Statutes and District rules.

If you have any questions or if I can be of further assistance, please contact me in the District's Planning Department.

Sincerely,

Ian G. McDonald, AICP  
Government Planning Coordinator

Protecting Your  
Water Resources

State of Florida Clearinghouse

RECEIVED  
JUL 29 1999

U.S. Department  
of Transportation

United States  
Coast Guard



Commander  
Seventh Coast Guard District

909 S.E. 1st Avenue  
Miami, FL 33130-3050  
Staff Symbol: (oan)  
Phone: (305) 536-5621  
FAX: (305) 530-7655

16591/3823  
Serial: 710  
July 28, 1999

Mr. Bryan Williams  
District Environmental Manager  
Florida Department of Transportation  
Post Office Box 1249  
Bartow, Florida 33830-1249

RECEIVED  
AUG 05 1999

Dear Mr. Williams:

Environmental Management  
Office

We have reviewed your Advance Notification letter describing your plans to construct a new crossing of the upper Manatee River connecting Fort Hammer Road with Upper Manatee River Road in Manatee County.

A Coast Guard bridge permit will be required for the new bridge crossing.

No Guide clearances have been established for the waterway. In order to determine the exact clearance requirements for existing and prospective navigation, you are encouraged to consult with waterway users early in your design process. This needs analysis should help avoid unnecessary delays in the permitting process.

The Coast Guard decision on navigational adequacy is necessarily part of the permit approval process. We will consider any information you provide, the comments responding to the public notice we issue after receiving your application, and all other available information in making this decision.

The Federal Highway Administration will act as lead agency for the NEPA process and the Coast Guard will act as a cooperating agency. Please submit a copy of the environmental documentation for our review when it is available.

Please call Mr. Walt Paskowsky, if you have any questions, at (305) 536-4103.

Sincerely,

G.E. SHAPLEY  
Chief, Bridge Section  
Aids to Navigation  
And Waterways Management Branch  
Seventh Coast Guard District  
By direction of the District Commander



*Tampa Bay Regional Planning Council*

**RECEIVED**  
AUG 05 1999

Environmental Management  
Office

Chairman  
Barbara Romano

Vice-Chairman  
Commissioner Chris Hart

Secretary/Treasurer  
Frederick T. Reeves

Executive Director  
Manny L. Purnariga

August 2, 1999

Mr. Bryan Williams  
Florida Department of Transportation  
PO Box 1249  
Bartow, FL 33838-1249

Subject: *Upper Manatee River Road from SR 64 to US 301, Manatee County*

Dear Mr. Williams:

The above mentioned project has been previously reviewed under the Tampa Bay Regional Council's Intergovernmental Coordination and Review Process (IC&R #243-99) as submitted by the Florida State Clearinghouse (#FL99907130596C). A copy of that review is enclosed for your consideration.

If you should have any questions, please contact me at extension 257.

Sincerely,

Kristi Thum, Associate Planner  
Intergovernmental Coordination & Review

klt

Enclosure





**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office  
9721 Executive Center Drive North  
St. Petersburg, Florida 33702

August 19, 1999

Mr. Bryan Williams  
District Environmental Manager  
Florida Department of Transportation  
Post Office Box 1249  
Bartow, Florida 33830-1249

AUG 23 1999  
Environmental Management  
Office

Dear Mr. Williams:

Subject: Advance Notification  
Financial Management Number: 199668-1  
Federal Aid Project Number: 888 650 A  
Upper Manatee River Road from SR 64 to US 301  
Manatee County, Florida

The National Marine Fisheries Service (NMFS) has reviewed the information provided with your letter, dated July 9, 1999, regarding the Project Development and Environmental Study of a new span across the Manatee River to connect State Road 64 and U.S. 301 in the proximity of Upper Manatee River Road and Fort Hamer Road in Manatee County, Florida.

A variety of wetland habitats occur in the project area. Notably, extensive areas of black needlerush salt marsh are common in this area of the Manatee River. Other aquatic habitats occurring in the area include mangrove wetlands and seagrasses. These aquatic resources are recognized by the NMFS as public trust resources that provide habitat and water quality functions that are essential to maintaining a viable fishery resource. These wetlands, in association with other aquatic habitats serve as nursery, forage, and/or refuge sites for estuarine finfish and invertebrates with commercial, recreational, and ecological importance. In addition to their habitat value, these wetlands provide important water quality and control functions such as pollutant and sediment removal, wave attenuation, and flood water storage. The NMFS recommends that all practicable measures to avoid and minimize impacts to aquatic resources be considered during the design phase of the project.

Be advised that the project area wetlands are identified as Essential Fish Habitat (EFH) in the 1998 generic amendment of the Fishery Management Plans for the Gulf of Mexico. The generic amendment was prepared by the Gulf of Mexico Fishery Management Council as required by the 1996 amendment to the Magnuson-Stevens Fishery Conservation and Management Act. Federal agencies which permit, fund, or undertake activities which may adversely impact EFH must undertake an EFH Consultation with the NMFS. In that regard, it may be beneficial for the Florida Department of Transportation (FDOT) to address EFH in the Wetland Evaluation Report to assist

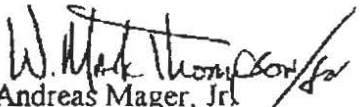


the various Federal funding and regulatory agencies in preparing their EFH Assessments for this project. EFH Assessments must include: 1) a description of the proposed action; 2) an analysis of the effects (including cumulative effects) of the proposed action on EFH, the managed fish species, and major prey species; 3) the Federal agency's views regarding the effects of the action on EFH; and 4) proposed mitigation, if applicable. Additional information regarding EFH can be found at <http://galveston.ssp.nmfs.gov/>.

In cases where two or more Federal agencies are undertaking, funding, and/or permitting an action one agency may assume the EFH Consultation responsibility for the project provided the NMFS is notified by the lead Federal agency that it is acting on behalf of the other agencies. Refer to 50 CFR Sections 600.920(b) and 600.920(c) (*Federal Register* Vol. 62, No. 244, December 19, 1997; Page 66556) for information regarding designation of consultation responsibility.

We appreciate the opportunity to provide you with our comments. Please direct related comments, questions, or correspondence to Mr. David N. Dale in St. Petersburg, Florida. He may be contacted at 727/570-5311 or at the letterhead address above.

Sincerely,

  
Andreas Mager, Jr.  
Assistant Regional Administrator  
Habitat Conservation Division

cc:  
COE-Jacksonville (M. Nowicki)  
COE-Tampa (E. Summa)  
SWFWMD-Brooksville (C. Hull)  
USCG-Miami  
EPA-Atlanta  
FWS-Vero Beach  
FHWA-Tallahassee  
F/SER4  
F/SER43-St Pete



Jeb Bush  
Governor

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

David B. Struhs  
Secretary

August 23, 1999

Cherie Trainor  
State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

State of Florida Clearinghouse  
AUG 24 1999

RE: FDOT/Advance Notification - Manatee River and Fort Hammer Road from S.R. 64 to U.S. 301-  
Proposed New Road/Bridge, Manatee County, Florida  
SAI#: FL9907130596C

Dear Ms. Trainor:

The Florida Department of Environmental Protection (FDEP) has completed its review of the above referenced Advance Notification. Based upon the information submitted, the proposed funding request appears to be consistent with the Department's statutory authorities in the Florida Coastal Management Program. The Florida Department of Transportation, in consultation with the Federal Highway Administration, will determine what degree of environmental documentation will be necessary for this project. We request to review the environmental documents for this project, and ask that it be submitted to the Florida State Clearinghouse for review pursuant to the Florida Coastal Management Program's consistency review determination. The project will be re-evaluated for consistency with the Department's authorities in the Florida Coastal Management Program on review of the subsequent environmental documents.

The following issues should be addressed in the Project Development & Environmental study:

- Potential direct, secondary, and/or cumulative impacts to water quality in the Manatee River, as well as to the Terra Ceia Aquatic Preserve and Tampa Bay (an estuary of national significance) located downstream of the project, due to stormwater runoff from proposed impervious surfaces.
- Inevitable direct and potential secondary and/or cumulative impacts to wetlands along the river corridor associated with bridge construction.
- Potential direct, secondary, and/or cumulative impacts to wetlands along the proposed new road alignment corridor.
- The potential for alteration of river hydrology (flow restriction) as a result of proposed bridge pier/causeway construction.
- Potential direct, secondary, and/or cumulative impacts to sea grasses and other aquatic habitats as a result of water quality alteration, hydrologic alteration, and/or shading due to proposed bridge construction.
- The potential restriction of wildlife movement along the riparian wildlife corridor associated with the Manatee River.



DOT/Advance Notification  
SAI# 99-0596C  
August 23, 1999  
Page 2

The proposal states that jurisdiction over affected wetland will be shared by the USACOE, the FDEP, and the SWFWMD. Permitting for wetland impacts and mitigation will be required from appropriate agencies. Permit for use of state sovereign submerged lands may also be required from the FDEP. Coordination with the FDEP and the Tampa Bay Estuary Program is recommended in addressing issues concerning the downstream Terra Ceia Aquatic Preserve and Tampa Bay estuary, respectively.

The Department appreciates the opportunity to review this project. If I may be of further assistance, please contact me at (850) 487-2231.

Sincerely,



Abdul Hatim  
Environmental Specialist  
Office of Intergovernmental Programs

/ah

cc: Dianne McCommons-Beck, FDEP Southwest District



# Florida Fish and Wildlife Conservation Commission

James L. "Jamie" Adams, Jr.  
Bushnell

Barbara C. Barsh  
Jacksonville

Quinton L. Hedgepeth, DDS  
Miami

H.A. "Herky" Huffman  
Deltona

Thomas B. Kibler  
Lakeland

David K. Meehan  
St. Petersburg

Julie K. Morris  
Sarasota

Tony Moss  
Miami

Edwin P. Roberts, DC  
Pensacola

John D. Rood  
Jacksonville

ALLAN L. EGBERT, Ph.D., Executive Director  
VICTOR J. HELLER, Assistant Executive Director

August 26, 1999

OFFICE OF ENVIRONMENTAL SERVICES  
BRADLEY J. HARTMAN, DIRECTOR  
620 South Meridian Street  
Tallahassee, FL 32399-16  
www.state.fl.us/fwc  
(850)488-6666  
FAX (850)922-5666  
TDD (850)488-9566

Ms. Cherie Trainor, Director  
Florida State Clearinghouse  
2555 Shumard Oak Blvd.  
Tallahassee, FL 32399-2100

State of Florida Clearinghouse

Re: SAI #FL9907130596C, Manatee County,  
Upper Manatee River Road from SR 64 to  
US 301, Advance Notification

Dear Ms. Trainor:

The Office of Environmental Services of the Florida Fish and Wildlife Conservation Commission has reviewed the referenced project, and offers the following comments.

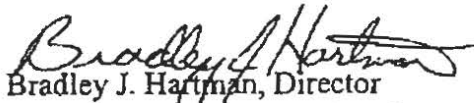
This project involves the connection of Fort Hammer Road and Upper Manatee River Road to construct a bridge crossing over the Manatee River, east of I-75. This new bridge is to relieve congestion on I-75 and improve local traffic circulation associated with new planned subdivisions in the vicinity. The Manatee River is a suspected manatee birthing area, with a greater than average frequency of manatee perinatal deaths. The upper Manatee River was not included in the Tampa Bay manatee aerial survey study, due to the logistics of the study. However, eight tagged manatees have been documented in the upper reaches of the River. Three of these tagged animals were pregnant or have been seen with young calves in this portion of the River. For this project, we would recommend the following Environmental Resource Permit conditions:

1. The standard manatee construction conditions shall be followed for all in-water construction.
2. At least one person shall be designated as a manatee observer when in-water work is being performed. The person shall have experience in manatee observation, and be equipped with polarized sunglasses to aid in observation. The manatee observer must be on site during all in-water construction activities and will advise personnel to cease operation upon sighting a manatee within 50 feet of any in-water construction activity. Movement of a work barge, other associated vessels, or any in-water work shall not be performed after sunset, when the possibility of spotting manatees is negligible.

Ms. Cherie Trainor  
August 26, 1999  
Page 2

If you have any questions regarding these comments, please contact me or Ms. Mary Duncan at (850) 922-4330.

Sincerely,

  
Bradley J. Hartman, Director  
Office of Environmental Services

BJH/BSB/MD/tgw

ENV 1-3-2

sai0396c

cc: Mr. Richard Garrity, DEP, Tampa  
DOT, Bartow (District 1)



# Florida Fish and Wildlife Conservation Commission

James L. "Jamie" Adams, Jr.  
Bushnell

Barbara C. Barsh  
Jacksonville

Quinton L. Hedgepeth, DDS  
Miami

H.A. "Herky" Huffman  
Deltona

Thomas B. Kibler  
Lake Land

David K. Meehan  
St. Petersburg

Julie K. Morris  
Sarasota

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John D. Rood  
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ALLAN L. EGBERT, Ph.D., Executive Director  
VICTOR J. HELLER, Assistant Executive Director

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SEP 02 1999

August 26, 1999

OFFICE OF ENVIRONMENTAL SERVICES  
BRADLEY J. HARTMAN, DIRECTOR  
620 South Meridian Street  
Tallahassee, FL 32399-1600  
www.state.fl.us/fwc  
(850)488-6661  
FAX (850)922-5679  
TDD (850)488-9542

Environmental Management  
Office

Ms. Cherie Trainor, Director  
Florida State Clearinghouse  
2555 Shumard Oak Blvd.  
Tallahassee, FL 32399-2100

Re: SAI #FL9907130596C, Manatee County,  
Upper Manatee River Road from SR 64 to  
US 301, Advance Notification

Dear Ms. Trainor:

The Office of Environmental Services of the Florida Fish and Wildlife Conservation Commission has reviewed the referenced project, and offers the following comments.


This project involves the connection of Fort Hammer Road and Upper Manatee River Road to construct a bridge crossing over the Manatee River, east of I-75. This new bridge is to relieve congestion on I-75 and improve local traffic circulation associated with new planned subdivisions in the vicinity. The Manatee River is a suspected manatee birthing area, with a greater than average frequency of manatee perinatal deaths. The upper Manatee River was not included in the Tampa Bay manatee aerial survey study, due to the logistics of the study. However, eight tagged manatees have been documented in the upper reaches of the River. Three of these tagged animals were pregnant or have been seen with young calves in this portion of the River. For this project, we would recommend the following Environmental Resource Permit conditions:

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Ms. Cherie Trainor  
August 26, 1999  
Page 2

If you have any questions regarding these comments, please contact me or Ms. Mary Duncan at (850) 922-4330.

Sincerely,

  
Bradley J. Hartman, Director  
Office of Environmental Services

BJH/BSB/MD/tgw

ENV 1-3-2

sai0596c

cc: Mr. Richard Garrity, DEP, Tampa  
DOT, Bartow (District 1)



DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary  
Office of International Relations  
Division of Elections  
Division of Corporations  
Division of Cultural Affairs  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing  
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Florida Land and Water Adjudicatory Commission  
Sales Board  
Division of Bond Finance  
Department of Revenue  
Department of Law Enforcement  
Department of Highway Safety and Motor Vehicles  
Department of Veterans' Affairs

FLORIDA DEPARTMENT OF STATE

Katherine Harris  
Secretary of State

DIVISION OF HISTORICAL RESOURCES

Ms. Cherie Trainor  
State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

August 26, 1999

RECEIVED  
AUG 31 1999  
State of Florida Clearinghouse

RE: DHR Project File No. 995229  
SAI# FL9907130596C  
Florida Department of Transportation - Advance Notification  
Upper Manatee River Road and Fort Hamer Road from SR 64 to US 301  
FMN: 19966801 - FAPN: 8888 650 A - WPN: 1125159  
Manatee County, Florida

Dear Ms. Trainor:

In accordance with the provisions of Florida's Coastal Zone Management Act and Chapter 267, *Florida Statutes*, as well as the procedures contained in 36 C.F.R., Part 800 ("Protection of Historic Properties"), we have reviewed the referenced project for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historic or architectural value.

We have reviewed the Advance Notification for the Florida Department of Transportation (FDOT) project referenced above. We note that the project will have a cultural resource survey performed. Therefore, conditioned upon the FDOT undertaking a cultural resource survey, and appropriately avoiding, minimizing, or mitigating project impacts to any identified significant archaeological or historic sites, the proposed project will have no effect on historic properties listed, or eligible for listing, in the National Register, or otherwise of historical or architectural value. If these conditions are met the project will also be consistent with the historic preservation aspects of Florida's Coastal Management Program.

If you have any questions concerning our comments, please contact Scott Edwards, Historic Preservation Planner, at 850-487-2333 or 800-847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

*for* *Lana Q. Kummer*  
George W. Percy, Director  
Division of Historical Resources and  
State Historic Preservation Officer

GWP/Ese

xc: Jasmin Raffington, FCMP-DCA



STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

*"Helping Floridians create safe, vibrant, sustainable communities"*

JEB BUSH  
Governor

STEVEN M. SEIBERT  
Secretary

SEP 02 1999

August 27, 1999

Environmental Management  
Office

Mr. Bryan Williams  
Department of Transportation  
District One Environmental Management Office  
Post Office Box 1249  
Bartow, Florida 33830-1249

RE: U.S. Department of Transportation - Federal Highway  
Administration - Highway Planning and Construction -  
Advance Notification - Financial Management Number:  
19966801 - Federal Aid Project Number: 8888 650 A -  
Work Program Item No.: 1125159 - Upper Manatee River  
Road from SR 64 to US 301 - Manatee County, Florida  
SAI: FL9907130596C

Dear Mr. Williams:

The Florida State Clearinghouse has been advised that our reviewing agencies require additional time to complete the review of the above-referenced project. In order to receive comments from all agencies, an additional fifteen days is requested for completion of the state's consistency review in accordance with 15 CFR 930.41(b). We will make every effort to conclude the review and forward the consistency determination to you on or before September 11, 1999.

Thank you for your understanding. If you have any questions regarding this matter, please contact Ms. Cherie Trainor, Clearinghouse Coordinator, at (850) 922-5438.

Sincerely,

Ralph Cantral, Executive Director  
Florida Coastal Management Program

RC/cc

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100  
Phone: (850) 488-8466/Suncom 278-8466 FAX: (850) 921-0781/Suncom 291-0781  
Internet address: <http://www.state.fl.us/comaff/>



COUNTY: Manatee

DATE: 07/13/1999

COMMENTS DUE-2 WKS: 07/28/1999

CLEARANCE DUE DATE: 08/27/1999

SAI#: FL9907130596C

Message:

STATE AGENCIES

WATER MANAGEMENT DISTRICTS

OPB POLICY UNITS

Agriculture  
Community Affairs  
Environmental Protection  
Fish & Wildlife Conserv. Comm  
X OTTED  
State

Southwest Florida WMD

Environmental Policy/C & ED

**RECEIVED**  
JUL 21 1999  
State of Florida Clearinghouse

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- ☒ Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- ☐ Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- ☐ Outer Continental Shelf Exploration, Development or Production Activities (15 CFR 930, Subpart E). Operators are required to provide a consistency certification for state concurrence/objection.
- ☐ Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:

U.S. Department of Transportation - Federal Highway Administration - Highway Planning and Construction - Advance Notification - Financial Management Number: 199668D1 - Federal Aid Project Number: 8888 650 A - Work Program Item No.: 1125159 - Upper Manatee River Road from SR 64 to US 301 - Manatee County, Florida.

To: Florida State Clearinghouse  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100  
(850) 922-5438 (SC 292-5438)  
(850) 414-0479 (FAX)

EO. 12372/NEPA

Federal Consistency

- ☒ No Comment  
☐ Comments Attached  
☐ Not Applicable

- ☒ No Comment/Consistent  
☐ Consistent/Comments Attached  
☐ Inconsistent/Comments Attached  
☐ Not Applicable

From:

Division/Bureau: OTTED

Reviewer: M. Blakeslee



99-0596C



Florida Department of Agriculture & Consumer Services  
Bob Crawford, Commissioner

Please Respond to:  
Division of Plant Industry  
Pest Eradication and Control  
3027 Lake Alfred Road  
Winter Haven, 33881-1438  
Phone: 941-298-7777/Fax: 941-291-5219

RECEIVED

OCT 01 1999

Division of Forestry  
PEST BUREAU

September 24, 1999

## MEMORANDUM

To: Jack Dodd

From: Leon Hebb *[Signature]*

Subject: Advance Notification, Financial Management Number: 199668-1  
Federal Aid Project Number: 8888 650 A  
Upper Manatee River Road from SR 64 to US 301, Manatee County, Florida

In reference to DOT's Advance Notification dated July 9, 1999, the proposed area being considered for improving transportation routes in Manatee County between US 301 and SR 64 along River Road and Fort Hamer Road corridor, at this time are not in a citrus canker regulated area. There are no present regulations in the citrus canker program which would pertain to surveying, engineering or construction in this area. However, it should be noted that owners of most citrus properties in this general area, in order to protect their investment, expect personnel and equipment entering their properties to practice good sanitation and decontamination procedures to prevent the introduction of citrus canker disease to their properties.

Should at anytime this area become included in a quarantine area, we will make contact with the local DOT district office.

LHH/fr

cc: Richard Gaskalla

MAY 11 2000  
Environmental Management



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Southeast Regional Office  
9721 Executive Center Drive North  
St. Petersburg, FL 33702  
727-570-5312, FAX 570-5517

MAY 10 2000

F/SER3:JBM

Ms. Gwen G. Pipkin  
Environmental Project Manager  
Florida Department of Transportation  
801 N. Broadway  
Bartow, Florida 33830

Dear Ms. Pipkin:

This responds to your April 26, 2000 letter, requesting information with respect to Federally-protected species of marine life under the purview of the National Marine Fisheries Service (NMFS). Your office is preparing a Biological Assessment (BA) for the proposed roadway improvements project between SR 64 and U.S. 301 in Manatee County, Florida.

A list of endangered and threatened species and their critical habitat is enclosed for the Florida Gulf Coast. There are no species of concern protected by the Endangered Species Act in the project area under NMFS jurisdiction. Therefore, no further consultation is required.

If you have any questions, please contact Eric Hawk, fishery biologist, at the number listed above.

Sincerely,

Charles A. Oravetz  
Assistant Regional Administrator  
Protected Resources Division

Enclosure

cc: F/PR3

O:\SECTION7\GENERIC\0508\_DOT.WPD





United States Department of the Interior

FISH AND WILDLIFE SERVICE

6620 Southpoint Drive South  
Suite 310  
Jacksonville, Florida 32216-0958

IN REPLY REFER TO:  
FWS/R4/ES-JAFL

May 19, 2000

JUN 05 2000

Gwen G. Pipkin  
Florida Department of Transportation  
801 N. Broadway  
Bartow, Florida 33830

Environmental Management

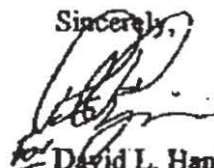
FWS Log No: 00-085

Dear Ms. Pipkin:

This is in response to your letter requesting concurrence on the protected species list for Manatee County. The Service concurs with the list provided in your April 26, 2000 letter.

If you need any further assistance please contact Shelley Norton of my staff at (727)-570-5398, ext. 14.

Sincerely,



David L. Hankla  
Field Supervisor

S:00-085/SN/wcm





STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

*"Dedicated to making Florida a better place to call home"*

JEB BUSH  
Governor

STEVEN M. SEIBERT  
Secretary

October 23, 2000

**RECEIVED**  
OCT 30 2000

Mr. Bryan Williams  
Department of Transportation  
District One Environmental Management Office  
Post Office Box 1249  
Bartow, Florida 33830-1249

Environmental Management  
Office

RE: U.S. Department of Transportation - Federal Highway Administration - Highway  
Planning and Construction - Advance Notification - Financial Management Number:  
19966801 - Federal Aid Project Number: 8888 650 A - Work Program Item No.:  
1125159 - Upper Manatee River Road from SR 64 to US 301 - Manatee County, Florida  
SAI: FL9907130596C

Dear Mr. Williams:

The Florida State Clearinghouse, pursuant to Presidential Executive Order 12372, Gubernatorial Executive Order 95-359, Section 216.212, Florida Statutes, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated a review of the above-referenced project.

The Department of Environmental Protection (DEP) offers comments to be addressed in the Project Development and Environmental Study. DEP notes that the Florida Department of Transportation, in consultation with the Federal Highway Administration, will determine what degree of environmental documentation will be necessary for this project. DEP requests to review the environmental documents for this project, and requests that they be submitted to the Florida State Clearinghouse for review. The project will be re-evaluated for consistency on review of the subsequent environmental documents. DEP also notes that permitting for wetland impacts and mitigation will be required from the appropriate agencies and that permit for use of state sovereign submerged lands may also be required from DEP. Coordination with the DEP and the Tampa Bay Estuary Program is recommended in addressing issues concerning the downstream Terra Ceia Aquatic Preserve and the Tampa Bay estuary, respectively. Please refer to the enclosed DEP comments and attachment.

The Florida Fish and Wildlife Conservation Commission (FWC) offers comments regarding the advance notification and recommends several Environmental Resource Permit conditions, including that the standard manatee construction conditions shall be followed for all in-water construction. Please refer to the enclosed FWC comments.

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100  
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781  
Internet address: <http://www.dca.state.fl.us>

Mr. Bryan Williams  
October 23, 2000  
Page Two

The Florida Department of Agriculture and Consumer Services (DACS) notes that there are no present regulations in the citrus canker program which would pertain to surveying, engineering, or construction in this area. However, it should be noted that owners of most citrus properties in this general area expect personnel and equipment entering their properties to practice good sanitation and decontamination procedures to prevent the introduction of citrus canker disease to their properties. If at any time this area becomes included in a quarantine, the DACS will contact the local DOT district office. Please refer to the enclosed DACS comments.


The Department of State (DOS) notes that the proposed project will have a cultural resource survey performed. Provided that the applicant completes the survey and appropriately avoids, minimizes, or mitigates impacts to any significant archaeological or historic sites identified in the survey, the above project will have no adverse effect. Please refer to the enclosed DOS comments.

Based on the information contained in the advance notification and the enclosed comments provided by our reviewing agencies, the state has determined that, at this stage, the allocation of federal funds for the above-referenced project is consistent with the Florida Coastal Management Program (FCMP). All subsequent environmental documents prepared for this project must be reviewed to determine the project's continued consistency with the FCMP. The state's continued concurrence with the project will be based, in part, on the adequate resolution of issues identified during this and subsequent reviews.

The Department of Community Affairs (Department), pursuant to its role as the state's land planning agency, has reviewed the referenced project for consistency with the relevant local government comprehensive plan. Based on the information contained in the application, the Department has determined that the project is consistent, to the maximum extent feasible, with the applicable comprehensive plan.

If you have any questions regarding this letter, please contact Ms. Cherie Trainor, Clearinghouse Coordinator, at (850) 414-5495.

Sincerely,

  
Ralph Cantral, Executive Director  
Florida Coastal Management Program

RC/cc

Enclosures

cc: Abdul Hatim, Department of Environmental Protection  
Bradley Hartman, Fish and Wildlife Conservation Commission  
Janet Snyder Matthews, Department of State  
Jack Dodd, Department of Agriculture and Consumer Services





MS  
GF  
BV

Centers for Disease Control  
and Prevention (CDC)  
Atlanta GA 30341-3724

December 13, 2000

Bryan Williams  
District Environmental Manager  
Florida Department of Transportation  
801 N. Broadway  
Bartow, FL 33830

DEC 18 2000  
Environmental Management  
Office

Dear Mr. Williams:

Thank you for the notification regarding the early identification of issues and scoping meeting #2 for the proposed Upper Manatee River, S.R. 64 to U.S. 301 (S.R. 43). We are responding on behalf of the U.S. Public Health Service, Department of Health and Human Services.

We will not be in attendance at the January 9, 2000 scoping meeting, however, we will plan to serve as a reviewer of the DEIS when it becomes available for public review. While we have no project specific comments to offer at this time, we recommend that the topics listed below be considered during the NEPA process along with other necessary topics whenever appropriate. Mitigation plans which are protective of the environment and public health should be considered and described for potential adverse impacts.

AREAS OF POTENTIAL PUBLIC HEALTH CONCERN:

I. Air Quality

- dust control measures during project construction, and potential releases of air toxins
- potential process air emissions after project completion
- compliance with air quality standards

II. Water Quality/Quantity

- special consideration to private and public potable water supply, including ground and surface water resources
- compliance with water quality and waste water treatment standards
- ground and surface water contamination (e.g. runoff and erosion control)
- body contact recreation

III. Wetlands and Flood Plains

- potential contamination of underlying aquifers
- construction within flood plains which may endanger human health
- contamination of the food chain

IV. Hazardous Materials/Wastes

- identification and characterization of hazardous/contaminated sites
- safety plans/procedures, including use of pesticides/herbicides; worker training
- spill prevention, containment, and countermeasures plan

V. Non-Hazardous Solid Waste/Other Materials

- any unusual effects associated with solid waste disposal should be considered

VI. Radiation

- proper management to avoid exposure which may adversely affect human health during and after construction of project

VII. Noise

- identify projected elevated noise levels and sensitive receptors (i.e. residential, schools, hospitals) and appropriate mitigation plans during and after construction

VIII. Occupational Health and Safety

- compliance with appropriate criteria and guidelines to ensure worker safety and health

IX. Land Use and Housing

- special consideration and appropriate mitigation for necessary relocation and other potential adverse impacts to residential areas, community cohesion, community services
- demographic special considerations (e.g. hospitals, nursing homes, day care centers, schools)
- consideration of beneficial and adverse long-term land use impacts, including the potential influx of people into the area as a result of a project and associated impacts
- potential impacts upon vector control should be considered

X. Environmental Justice

- federal requirements emphasize the issue of environmental justice to ensure equitable environmental protection regardless of race, ethnicity, economic status or community, so that no segment of the population bears a disproportionate share of the consequences of environmental pollution attributable to a proposed project. (Executive Order 12898)

While this is not intended to be an exhaustive list of possible impact topics, it provides a guide for typical areas of potential public health concern which may be applicable to various federal projects.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth W. Holt".

Kenneth W. Holt, MSEH  
National Center for Environmental Health (F16)



**United States Coast Guard Presentation  
Upper Manatee River PD&E Study**


---

Date/Time: May 22, 2001 / 10:00 a.m.

Location: United States Coast Guard Miami Headquarters

Subject: FPID: 199668 1  
Upper Manatee River PD&E Study

Attendees: FDOT: Dick Combs, Mark Shulz, Gwen Pipkin, Marlon Bizerra,  
Ben Walker  
USCG: Evelyn Smart (w/o attachments)

Written By: Ben Walker 

Copies to: Attendees; Ron Gregory, URS Corp., Charles Bleam III, Scott McCall,  
Don Watkins, file

---

The meeting began with Ben Walker giving a presentation to the meeting attendees concerning the work progress to date on the Upper Manatee River PD&E (See attached Power Point Presentation Handout).

Ms. Smart then asked a few questions concerning the project. A summary of these questions are highlighted below.

**Question:** What percentage of the boats that were surveyed during the boat survey would pass underneath the proposed structure height?

**Answer:** 100% of the boats surveyed either utilizing the Fort Hamer Boat ramp or passing by the boat ramp would pass under the proposed bridge height of 26 feet.

**Question:** What types of boats typically utilize the area?

**Answer:** The predominant boat types utilizing the area were small personal powerboats. Sailboats were observed docked more than a mile downstream of the structure.

Ms. Smart then mentioned that she will talk with the Marine Safety Officer based in Tampa concerning the horizontal and vertical clearance. However, she felt comfortable that a bridge vertical clearance of 26' was acceptable and could be advertised based upon the information presented.

Ms. Smart requested that the navigational information be put in the Environmental document for the project. She believed this project would probably be an Environmental Assessment, but would agree to whatever level of document FHWA agrees is appropriate.

Ms. Smart also requested that discussions on a fender system and bridge lighting be included into the environmental document. In addition, the purpose and need for the structure must be written to include pertinent boating information.

Ms. Smart then explained typical processes and time frames for USCG review. She mentioned that a 30 day review is allowed for an environmental document. If there are comments, the 30 day review period begins again once responses to the comments have been addressed and received by the USCG. A public notice is then advertised concerning the project. This advertisement allows for a 30 day comment period from the public. If there are significant adverse reactions to the proposal, the comment period may be extended. Between 60 to 90 days are then allowed to complete the approval package.

Ms. Smart then provided a checklist to Mr. Combs that she uses to see if all necessary information for the USCG has been provided in the project environmental document (see attached). Ms. Smart also provided pertinent USCG rules and regulations that are used when issuing a permit and an application guide (see attached).

Marlon Bizerra then asked Ms. Smart several questions concerning necessary approvals from USCG in regards to the proposed structure at the Imperial River in Naples, Florida. In summary, Ms. Smart stated that if a new structure is proposed that does not change the horizontal or vertical clearances and stays within the original envelope of the existing structure, USCG will not require a boat survey. Verification that the existing clearances are adequate will need to be addressed. If the horizontal or vertical clearances are altered, or the project does not stay within the existing structures crossing envelope, a new boat survey will need to be conducted.

The meeting was then adjourned.

*Please notify the author no later than Monday, June 25th, 2001 of any necessary revisions to these minutes. Otherwise, the foregoing shall be deemed an accurate account of the subject meeting. Thank you.*



# MANATEE COUNTY GOVERNMENT

PARKS AND RECREATION DEPARTMENT

June 7, 2001

Ms. Gwen Pipkin  
Florida Department of Transportation  
District Environmental Management Office  
801 North Broadway  
Bartow, Florida 33831

RECEIVED  
JUN 11 2001

**RE: FORT HAMER PARK  
STATEMENT OF SIGNIFICANCE**

Environmental Management  
Office

Dear Ms. Pipkin:

Per your request, please let this letter serve as the "Statement of Significance" regarding the Fort Hamer Park. This park is located on the north shore of the Manatee River at the southern terminus of Fort Hamer Road in Bradenton, Florida. Fort Hamer Park is an approximately 7.1-acre facility that serves numerous neighborhoods and residents north of the Manatee River in Park District D. In addition, Fort Hamer Park provides a recreational and leisure opportunity for many local residents who visit the park to take advantage of the public boat ramp, playground equipment, and setting along the river. Fort Hamer Park is considered a significant resource to the Manatee County Parks and Recreation Department and the residents of Manatee County.

Should you have any further questions concerning this matter, please do not hesitate to contact me at 742-5923.

Sincerely,

Cindy Turner  
Director

CT:wc

xc: Larry Mau, Director, Department of Transportation  
Greg Fagan, Parks Planner, Parks & Recreation Department

G.T. BRAY RECREATIONAL COMPLEX  
5502 33rd Avenue Drive West • Bradenton, Florida 34209



U. S. DEPARTMENT OF TRANSPORTATION  
Federal Highway Administration  
Florida Division  
227 N. Bronough Street, Suite 2015  
Tallahassee, Florida 32301  
(850) 942-9650



July 31, 2001

IN REPLY:  
REFER TO: HPO-FL

Mr. David A. Twiddy  
District One Secretary  
Florida Department of Transportation  
P.O. Box 1249  
Bartow, Florida 33831-1249

RECEIVED  
AUG 02 2001

Environmental Management  
Office

Attention: Mr. Richard Combs

Dear Mr. Twiddy:

Subject: Section 4(f) Determination  
Upper Manatee River PD&E Study from SR 64 to US 301  
FM No.: 199668-1-22-01  
FAP No.: 8888 (650) -A  
Manatee County

The Federal Highway Administration (FHWA) reviewed the information submitted for the subject project for a Determination of Section 4(f) Applicability (DOA). The proposed project involves evaluating capacity improvements within an existing corridor along Upper Manatee River Road and Fort Hamer Road, between SR 64 and U.S. 301 that will include a new bridge crossing of the Manatee River.

Only one recreational facility was documented in the DOA prepared for this project – Fort Hamer Park, located about 250 feet west of the project alignment. Neither direct nor indirect takes will occur to the park as a result of this project. In fact, access will improve as a result of this project. It is unlikely that the proposed improvements will substantially impair the function, integrity, use, value, or setting of the facility. Therefore, the FHWA has determined that Section 4(f) does not apply to Fort Hamer Park.

If you have any questions, please feel free to contact Ms. Deborah Wolfe of this office at (850) 942-9650 x3030.

Sincerely,

For: James St. John  
Division Administrator

cc: Ms. Gwen Pipkin, FDOT District 1





An Equal  
Opportunity  
Employer

# Southwest Florida Water Management District

**Tampa Service Office**  
7601 Highway 301 North  
Tampa, Florida 33637-6759  
(813) 985-7481 or  
1-800-836-0797 (FL only)  
SUNCOM 578-2070

**Bartow Service Office**  
170 Century Boulevard  
Bartow, Florida 33830-7700  
(863) 534-1448 or  
1-800-492-7862 (FL only)  
SUNCOM 572-6200

2379 Broad Street, Brooksville, Florida 34604-6899  
(352) 796-7211 or 1-800-423-1476 (FL only)  
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)  
On the Internet at: WaterMatters.org

**Venice Service Office**  
115 Corporation Way  
Venice, Florida 34292-3524  
(941) 486-1212 or  
1-800-320-3503 (FL only)  
SUNCOM 526-6900

**Lecanto Service Office**  
3600 West Sovereign Path  
Suite 226  
Lecanto, Florida 34461-8070  
(352) 527-8131  
SUNCOM 667-3271

August 6, 2001

Ms. Gwen G. Pipkin  
Environmental Project Manager  
Florida Department of Transportation  
Post Office Box 1249  
Bartow, FL 33831-1249

AUG 08 2001

Environmental Management  
Office

**RE: PD&E - Final Draft Wetland Evaluation Report (WER)**  
**Upper Manatee River Road**  
**FN: 199668-1-21-01 FPI: 888 650 A**  
**Manatee County, Florida**

Dear Ms. Pipkin:

The Southwest Florida Water Management District (SWFWMD) appreciates the WER concerning the above referenced project. It appears the SWFWMD might be able to provide appropriate mitigation for the proposed wetland impacts associated with the project. Depending on approval from the other federal and state regulatory agencies, this mitigation may include saltwater wetland restoration activities associated with Terra Ceia, a SWFWMD-SWIM project within the Manatee River Basin. The ability to mitigate the freshwater wetland impacts within an existing project site utilized for FDOT Mitigation (Rutland Ranch, SWFWMD - Land Management) will depend on the ability to eliminate and reduce impacts. Rutland Ranch is currently proposed to provide mitigation for freshwater wetland impacts associated with future expansion of SR 64.

As this Upper Manatee River Road project progresses, the SWFWMD would appreciate status updates and will continue evaluating mitigation options in preparation if this project does proceed into the design and permitting phase. This mitigation could include habitat enhancement & restoration of existing public lands (e.g. SWFWMD, FDEP, FFWCC, County), proposed public lands acquisition & habitat improvements, and/or habitat improvements associated with private mitigation banks. No private mitigation banks are currently available within the Manatee River Basin.

The capability to provide mitigation doesn't negate the FDOT from permitting requirements (reference ERP Manual, Part B, Chapter 3.2.1) to evaluate and justify design modifications to eliminate or reduce wetland impacts associated with proposed projects.

**Ronnie E. Duncan**  
Chair, Pinellas  
**Thomas G. Dabney, II**  
Vice Chair, Sarasota  
**Janet D. Kovach**  
Secretary, Hillsborough  
**Watson L. Haynes, II**  
Treasurer, Pinellas  
**Edward W. Chance**  
Manatee  
**Monroe "Al" Coogler**  
Citrus  
**Maggie N. Dominguez**  
Hillsborough  
**Pamela L. Fentress**  
Highlands  
**Ronald C. Johnson**  
Polk  
**Heldi B. McCree**  
Hillsborough  
**John K. Renke, III**  
Pasco  
  
**E. D. "Sonny" Vergara**  
Executive Director  
**Gene A. Heath**  
Assistant Executive Director  
**William S. Bilenky**  
General Counsel

Protecting Your  
Water Resources

This WER will be forwarded to the SWFWMD-Venice office for their review and files. They may have additional comments of this report and will be the responsible WMD office to review any potential ERP applications associated with this project. District One staff is encouraged to request assistance and guidance from Hugh Dinkler (SunCom 526-6900) and his staff.

When appropriate mitigation options are located and approved by the various federal and state environmental regulatory agencies, the SWFWMD is committed to comply with the statutory provisions (Section 373.4137, Florida Statutes) to provide mitigation for wetland impacts associated with FDOT projects. We look forward to continue working with you and others on this project and if you should have any questions or comments, please don't hesitate to call me at (352) 796-7211, ext. 4488, Suncom 628-4488, or via e-mail at [mark.brown@swfwmd.state.fl.us](mailto:mark.brown@swfwmd.state.fl.us).

Sincerely,



Mark M. Brown, PWS, CPSS  
Environmental Scientist

cc: FDOT Mitigation - Manatee River Basin File  
SWFWMD - Venice, Hugh Dinker, Environmental Manager  
SWFWMD - Tampa, SWIM, Brandt Henningsen, Ph.D., Senior Env. Scientist  
SWFWMD - Brooksville, Clark Hull, Environmental Program Director





333-40  
UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Southeast Regional Office  
9721 Executive Center Drive North  
St. Petersburg, Florida 33702

August 17, 2001

Gwen G. Pipkin  
Florida Department of Transportation  
District One Environmental Management Office  
PO Box 1249  
Bartow, Florida 33831-1249

Dear Ms. Pipkin:

Subject: Draft Wetland Evaluation Report  
Upper Manatee River Road PD& E Study  
Financial Project No.: 199668-1-21-01  
Federal Project ID No.: 8888 650 A  
Manatee County, Florida

**RECEIVED**  
AUG 30 2001

Environmental Management  
Office

The National Marine Fisheries Service (NMFS) has reviewed the draft Wetland Evaluation Report provided on July 19, 2001. The Florida Department of Transportation (FDOT) has made a determination that the subject project is expected to have minimal adverse impacts on Essential Fish Habitat. We find that the descriptions of fishery resources and habitats in the project area are adequate. Additionally, the report adequately describes the potential adverse impacts associated with the proposed activity. Compensatory mitigation is expected to be accomplished by the Southwest Florida Water Management District (SWFWMD) via the provisions of Florida Statute 373.4137.

The report identifies indirect impacts to vegetative communities that would be shaded by the bridge structure. However, FDOT anticipates mitigating only for the direct impacts (i.e. filling) on wetlands. In view of this, the NMFS finds that the project as currently proposed could have a more than minimal adverse impact on EFH and associated fishery resources. Recognizing that final project plans will be developed during the design stage of the project; appropriate mitigation will be determined via the FDOT/SWFWMD's Mitigation Core Group; and, that EFH consultation will be completed during the permitting phase, the NMFS provides the following:

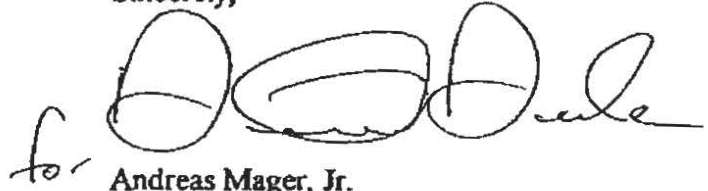
#### **Preliminary EFH Conservation Recommendation**

Compensatory mitigation should be provided for lost and reduced wetland functions resulting from direct and indirect project impacts such as filling, dredging, and shading.



We appreciate the opportunity to provide you with our comments. Please direct related comments, questions, or correspondence to Mr. David N. Dale in St. Petersburg, Florida. He may be contacted at 727/570-5311 or at the letterhead address above.

Sincerely,

A handwritten signature in black ink, appearing to read "Andreas Mager, Jr.", with a stylized, cursive script.

Andreas Mager, Jr.  
Assistant Regional Administrator  
Habitat Conservation Division

cc:

F/SER4

F/SER43

FWS-St. Petersburg

EPA-Atlanta

FDEP-Tampa

FFWCC-Punta Gorda



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

6620 Southpoint Drive South  
Suite 310  
Jacksonville, Florida 32216-0912

IN REPLY REFER TO:  
FWS/R4/ES-JAFL

September 4, 2001

Ms. Gwen Pipkin  
Florida Department of Transportation  
801 N. Broadway  
Bartow, Florida 33830

**RECEIVED**  
SEP 07 2001

Environmental Management  
Office

Re: Draft Endangered Species Biological Assessment  
FWS Log No: 01-1034 (St. Pete)

Dear Ms. Pipkin:

This is in response to your Draft Endangered Species Biological Assessment, dated June 2001, requesting our review and concurrence that the impacts proposed for the Upper Manatee River Road will not adversely impact federally listed species.

The purposed project is to improve north-south traffic circulation between I-75 and Rye Road/C.R. 675 and S.R. 64 and U.S. 301. Four potential corridors have been identified for the project. An expansion of I-75, Upper Manatee River Road/Fort Hammer Road, Rye Road/C.R. 675, and Rye Road/Golf Course Road.

The Draft Endangered Species Biological Assessment has been completed for the Upper Manatee River Road/Fort Hammer corridor. The biological assessment identified four federally listed species that may potentially utilize or inhabit the study area. The four listed species are the West Indian manatee (*Trichechus manatus*), Eastern indigo snake (*Drymarchon corais couperi*), Wood stork (*Mycteria americana*), and the bald eagle (*Haliaeetus leucocephalus*). The American alligator is not a listed species.

The following determinations have been made for federally listed species in the Draft Endangered Species Biological Assessment:

West Indian manatee- not likely to adversely affect-based on the use of "Standard Manatee Construction Precautions".

Eastern indigo snake-not likely to adversely affect- based on the use "Standard Eastern indigo Snake Protection Measures".

Wood stork-not likely to adversely affect- based on the their high mobility and no known rookeries will be impacted.



Bald eagle- not likely to adversely affect- the nearest nest is 2200 feet from the proposed road improvements.

The Service has reviewed the determinations for the four listed species, and concurs. However, the Service cannot determine if the project will adversely modify critical habitat for the manatee until a sea grass survey is completed for the proposed corridor and impact acreage is known. We request the opportunity to review the results of the survey.

We appreciate the opportunity to comment. If you have any question please contact Shelley Norton, (727) 570-5398, extension 14.

Sincerely,

*Don Palmer*

*gov*  
Peter M. Benjamin  
Asst. Field Supervisor

S: 01-1034\dp\acm\09.04.01



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

6620 Southpoint Drive South  
Suite 310  
Jacksonville, Florida 32216-0912

IN REPLY REFER TO:  
FWS/R4/ES-JAFL

October 3, 2001

Ms. Gwen Pipkin  
Florida Department of Transportation  
801 N. Broadway  
Bartow, Florida 33830

Re: Draft Wetland Evaluation Report  
FWS Log No: 01-1034 (2) (St. Pete)

**RECEIVED**  
OCT 09 2001

Environmental Management  
Office

Dear Ms. Pipkin:

This is in response to your Draft Wetland Evaluation Report provided July 19, 2001, requesting our review and concurrence that the impacts proposed for the Upper Manatee River Road will not adversely impact federally listed species.

The project purpose is to improve north-south traffic circulation between I-75 and Rye Road/C.R. 675 and S.R. 64 and U.S. 301. Four potential corridors have been identified for the project; expansion of I-75, Upper Manatee River Road/Fort Hammer Road, Rye Road/C.R. 675, and Rye Road/Golf Course Road.

The Service finds that the report adequately describes the potential impacts to habitats in the project area. Compensatory mitigation is expected to be accomplished by the Southwest Florida Water Management District via the provisions of Florida Statute 373.4137.

The report discusses indirect impacts to vegetative communities that could be shaded by the bridge. The FDOT expects to mitigate for direct impacts to wetlands. The Service will comment on the appropriateness of the mitigation proposed for direct and indirect wetland impacts through the FDOT Mitigation Review process and the Corps' permitting process.

At this time the impacts to sea grasses are minimal and therefore are not likely to adversely affect critical habitat for the West Indian manatee (*Trichechus manatus*).



We appreciate the opportunity to comment. If you have any question please contact Shelley Norton, (727) 570-5398, extension 14.

Sincerely,

*Don Palmer*

*for*

Peter M. Benjamin  
Asst. Field Supervisor

S: palmer01-1034(2)\acm\10.03.01

DIVISIONS OF FLORIDA DEPARTMENT OF STATE  
Office of the Secretary  
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Division of Corporations  
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FLORIDA DEPARTMENT OF STATE  
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Division of Bond Finance  
Department of Revenue  
Department of Law Enforcement  
Department of Highway Safety and Motor Vehicles  
Department of Veterans' Affairs

Mr. James E. St. John  
U.S. Department of Transportation  
Federal Highway Administration, Florida Division  
227 N. Bronough Street, Suite 2015  
Tallahassee, Florida 32301

October 26, 2001

Re: DHR No. 2001-09120 / Additional Information Received October 26, 2001  
*A Cultural Resource Assessment Survey, Upper Manatee River Road from SR 64 to  
US 301, Manatee County, Florida*

Dear Mr. St. John:

Our office has received the referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966* (Public Law 89-665), as amended in 1992, and 36 C.F.R., Part 800: *Protection of Historic Properties*, Chapters 267, *Florida Statutes*, and implementing state regulations, for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, architectural or archaeological value. The State Historic Preservation Officer is to advise and assist state and federal agencies when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or minimize adverse effects.

Results of the survey indicate that 14 previously unrecorded historic buildings (8MA1213 – 8MA1226) and one previously recorded historic building (8MA763) were identified. In addition, the location of one previously recorded archaeological site (8MA315) was investigated. Previously recorded building 8MA763 has been determined ineligible for listing in the *National Register of Historic Places*. Due to extensive modifications and lack of significant historical association, none of the newly recorded historic buildings are considered eligible for listing in the *National Register*. Based on the information provided, this agency concurs with these determinations and finds the submitted report complete and sufficient.

Archaeological testing within the vicinity of site 8MA315 resulted in the recovery of a single military button that dates between 1837 and 1865. No subsurface features were identified. Although it is evident that nineteenth-century military activities took place in the vicinity, data recovered from this specific location are not indicative of a significant cultural resource (FMSF Survey #5270, DHR #1998-2638). However, due to the unique nature of this site, it is possible that standard archaeological sampling may have been unsuccessful in locating intact, discrete activity areas resultant from historic construction and habitation of the Fort Hamer compound. This project will impact the portion of 8MA315 located within the proposed right-of-way, unlike previous projects (DHR #1998-2638). Therefore, it is the opinion of this office that prior to any ground disturbing activities, controlled stripping supervised by a professional archaeologist should be conducted within the area recorded as site 8MA315. A report that describes the findings of this investigation must be forwarded to this office for review.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office  
(850) 245-6300 • FAX: 245-6435

☐ Archaeological Research  
(850) 245-6444 • FAX: 245-6436

☒ Historic Preservation  
(850) 245-6333 • FAX: 245-6437

☐ Historical Museums  
(850) 245-6400 • FAX: 245-6433

☐ Palm Beach Regional Office  
(561) 279-1475 • FAX: 279-1476

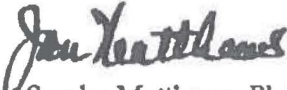
☐ St. Augustine Regional Office  
(904) 825-5045 • FAX: 825-5044

☐ Tampa Regional Office  
(813) 272-3843 • FAX: 272-2340

Mr. St. John  
October 26, 2001  
Page 2

If you have any questions concerning our comments, please contact Mary Beth Fitts, Historic Sites Specialist, at [mbfitts@mail.dos.state.fl.us](mailto:mbfitts@mail.dos.state.fl.us) or (850) 245-6333. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jane Snyder Matthews". The signature is fluid and cursive, with the first name "Jane" being the most prominent.

Jane Snyder Matthews, Ph.D., Director, and  
State Historic Preservation Officer

Xc: Mr. Richard Combs, FDOT District 1 – EMO



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FLORIDA DEPARTMENT OF STATE  
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Florida Land and Water Adjudicatory Commission  
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Division of Bond Finance  
Department of Revenue  
Department of Law Enforcement  
Department of Highway Safety and Motor Vehicles  
Department of Veterans' Affairs

DRAFT

Mr. James E. St. John  
U.S. Department of Transportation  
Federal Highway Administration, Florida Division  
227 N. Bronough Street, Suite 2015  
Tallahassee, Florida 32301

November 1, 2001

Re: DHR No. 2001-09120B / Additional Information Received November 1, 2001  
*A Cultural Resource Assessment Survey, Upper Manatee River Road from SR 64 to  
US 301, Manatee County, Florida*

RECEIVED  
NOV 05 2001  
Environmental Management  
Office

Dear Mr. St. John:

Our office has received the referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966* (Public Law 89-665), as amended in 1992, and 36 C.F.R., Part 800: *Protection of Historic Properties*, Chapters 267, *Florida Statutes*, and implementing state regulations, for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, architectural or archaeological value. The State Historic Preservation Officer is to advise and assist state and federal agencies when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or minimize adverse effects.

Additional information about this project was provided during a meeting with Ms. Marion Almy and Ms. Joan Deming of Archaeological Consultants Inc. Based on this supplemental historical and environmental information, it is the opinion of this office that the principal structures of Fort Hamer were not located within the area of potential effect for this project. Although the portion of site 8MA315 that exists within the proposed right-of-way is indicative of nineteenth-century activity in the vicinity, it is characterized by a limited artifact assemblage, absence of intact cultural deposits, and lack of substantive research potential (FMSF Survey #5270). Therefore, it is the opinion of this office that the portion of site 8MA315 located within the proposed right-of-way is ineligible for listing in the *National Register of Historic Places*, and that the proposed project will have no effect on any historic properties listed, or eligible for listing, in the *National Register*.

If you have any questions concerning our comments, please contact Mary Beth Fitts, Historic Sites Specialist, at mbfitts@mail.dos.state.fl.us or (850) 245-6333. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

*Janet Snyder Matthews*, Deputy SHPO  
Janet Snyder Matthews, Ph.D., Director, and  
State Historic Preservation Officer

Xc: Mr. Richard Combs, FDOT District 1 - EMO

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

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(904) 825-5045 • FAX: 825-5044

☐ Tampa Regional Office  
(813) 272-3843 • FAX: 272-2340

## DECEMBER 11, 2001

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, December 11, 2001, at 6:35 p.m.

Present were Commissioners:

Joe McClash, Chairman  
Amy Stein, First Vice-Chairman  
Patricia M. Glass, Second Vice-Chairman  
Jane W. von Hahmann, Third Vice-Chairman  
Gwendolyn Y. Brown  
Jonathan Bruce  
George L. Harris

Also present were:

Ernie Padgett, County Administrator  
Tedd Williams, Jr., County Attorney  
Susan G. Romine, Board Records Supervisor,  
representing R. B. Shore, Clerk of Circuit Court

### AGENDA

Agenda of December 11, 2001, and sign-in sheets.

BC20011211DOC055

### UPPER MANATEE RIVER BRIDGE

Mrs. Stein displayed the Comprehensive Plan Future Land Use Map and discussed the designation of the project area (Urban Fringe-3).

BC20011211DOC056

Larry Mau, Transportation Director, introduced staff from the Florida Department of Transportation (FDOT) and URS Corporation, project consultant.

**Ben Walker**, FDOT, displayed a slide presentation to explain the PD&E Study (Project Development & Environment Study) conducted as part of the Sarasota/Manatee Metropolitan Planning Organization (MPO) Cost Feasibility Plan, and identified the issues in the study, corridors analyzed, and project schedule. He stated that the presentation would be available on-line at [www.uppermanateepde.org](http://www.uppermanateepde.org).

BC20011211DOC057

**Greg Root**, URS, compared the traffic volumes served by a 4-lane versus a 6-lane bridge.

Discussion: Future expansion of Upper Manatee River Road needed to meet Level of Service requirements; impact of future widening of U.S. 301 included in traffic models; re-striping I-75 to 8 lanes would require improvements to interchanges at U.S. 301 and S.R. 64; cost comparisons; Ft. Hamer Road; right-of-way currently reserved along Upper Manatee River Road; etc.

Mr. Mau displayed County roadway plans from 1968, the 2025 Financially Feasible Roadway Plan, and the 2025 Long Range Cost Feasible Plan.

BC20011211DOC058

Speaking in opposition of the proposed bridge were **Sarah Parker; Jayme Hayes; Gemma Fulton; Brian Martin; Rosalyn Warner**, who submitted letters and a map; **Connie Boudreaux; Bob DuPoy; John Shute**, who submitted aerial photographs; **Pam Delk; David Park; Sherry Woodrum; Linda Johannsen**, who submitted a letter and information regarding historical sites; **Karen Ciemniecki; Karen Bolendz; William Jones; Arlene Sweeting; Steve Patterson;** and **Mary Sheppard**.

Discussion: Traffic safety; no public facilities; 1995 SMATS model; other options; traffic made worse with new or widened highways; have public involved in visioning; pollution over watershed; etc.

Others speaking were **Dottie McChesney; Bill Burger**, who volunteered his professional archaeological services; **John Rottgen; Thomas Grebe; Earl Imes; Jerry Cooper; Chuck Fedora**, who submitted a report on relics found on site; **Bill Bullard**, who submitted the written text of his speech; **Stephen Kovac**, who submitted photographs of Gates Creek Subdivision; **James Keenen; Audrey Kelley; Jasilik Symeondis; Geraldine Swormstedt; Patricia Witt; Grant Desroches;** and **Mike Bender**.

Discussion: Extend Lorraine Road; widen Upper Manatee River Road to 4 lanes, but no bridge; two-lane bridge maximum; disagree with archaeological study; traffic concerns; property to purchase; relocate bridge to C.R. 675; intrusion of thoroughfare; no disclosure of bridge when property purchased; water main; current land uses encourage sprawl; move bridge east; money better spent for parks and schools; consider other transportation options; audit of FDOT figures; etc.

Speaking in support of the bridge were **Richard Claybrooke; James Peterson; Robert Balla; Diane Special; Mac Owen; Charles Jones; Phil Derstine; Mary Underhill; Keith Lyndon; Alan Jones;** and **Dave Hartshorn**.



Discussion: 6-lane and 4-lane bridge options; storm evacuation; growth dictates bridge; marker at archaeological site; enhance park systems; etc. **BC20011211DOC059**

Mrs. Stein reviewed the study corridor with respect to the Rye Road alternative using a Floodplain and Floodway map. She requested a map illustrating the existing and required right-of-way for this project. **BC20011211DOC060**

**Marion Almy**, Archaeological Consultants, Inc., discussed the study by her company at the Fort Hamer site using metal detection and systematic subsurface testing.

Discussion: FDOT study included student pedestrian traffic, school crossing zones, etc.; Lorraine Road extension is part of Rye Road option; roadway at bend of Upper Manatee River Road will be reconfigured, including signalization; consideration was given to Parrish historical district; current population figures used for traffic models; alternative alignment of roadway was designed to prevent having to relocate water line; Rye Road traffic warrants two lanes; right-of-way was contributed by Gates Creek at time of development approval; plan for future bridge was discussed during the Waterlefe (fka Wading Bird) hearings and disclosure to buyers was a stipulation of the development approval; Federal funds can be phased in; staff confirmed FDOT's traffic figures used for study; etc.  
(Depart Mrs. Glass during discussion)

Leon Kotecki, Planning Department, submitted letters he received concerning this project. Ms. Brown requested that the letter from Mr. Rumph (submitted 11/27/01) be entered into the record for this meeting. Mr. McClash submitted other letters received. **BC20011211DOC061**

**BENNETT PARK**

Mr. Bruce announced that the County was awarded a grant for the purchase of a 180-acre tract on Kay Road (known as the Bennett tract) for development as a County park. **BC20011211DOC062**

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Adj: 9:53 p.m.  
/ml

Minutes Approved: January 29, 2002

**MARCH 10, 2003**

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION (Notice provided in writing) in the Manatee County Convention and Civic Center, Center Hall, One Haben Boulevard, Palmetto, Florida, Monday, March 10, 2003, at 7:10 p.m.

Present were Commissioners:

Jonathan Bruce, Chairman  
Jane W. von Hahmann, First Vice-Chairman  
Ron Getman, Second Vice-Chairman  
Gwendolyn Y. Brown, Third Vice-Chairman  
Patricia M. Glass  
Joe McClash  
Amy Stein

Also present were:

Ernie Padgett, County Administrator  
Tedd Williams, Jr., County Attorney  
Susan G. Romine, Board Records Supervisor,  
representing R. B. Shore, Clerk of Circuit Court

Invocation by Mrs. von Hahmann.

**AGENDA**

Agenda of March 10, 2003.

**BC20030310DOC001**

**UPPER MANATEE RIVER ROAD/FORT HAMER ROAD BRIDGE**

Larry Mau, Transportation Director, stated the Florida Department of Transportation (FDOT) is assisting with the Upper Manatee River Road/Fort Hamer Road Bridge project, as it is an interstate reliever project. Mr. Mau stated this project was on the Comprehensive Plan in 1968 as a conceptual development plan. It was listed in the street plan priority for 1968, and in 1973 this project was listed in the proposed land use and development requirements. He stated this project was on the Thoroughfare Plan in 1976, and on the Right-of-Way Needs Map in 1984.

Mr. Mau corrected the agenda package as the background information indicated the final Project Development and Environment Study (PD&E) report is complete, and it is not.

**Ben Walker**, FDOT, stated an environmental assessment has been completed and submitted to the Federal Highway Administration (FHA). He used a slide presentation to highlight the results of the public hearing held by FDOT (11/14/02). He requested a recommendation from the Board as to how to proceed through the PD&E process.

Mr. Walker stated the concerns addressed at the public hearing were: need for the project; environmental concerns and impacts of the project to the area; traffic generated as a result of the improvements; and impacts to Fort Hamer Road.

Mr. Walker addressed: the impacts of widening I-75; widening Rye Road; environmental assessments by other governmental agencies; air pollution studies; Sarasota/Manatee Metropolitan Planning Organization (MPO) long-range plan; review by State Historic Preservation Office found no significant impacts; etc.

Mr. Walker reviewed the recommended alternative that includes a four-lane improvement to Upper Manatee River Road/Fort Hamer Road as well as sidewalks and bike paths along both sides of the roadway for the entire corridor, including the bridge. It also includes a four-lane single structure bridge crossing the Manatee River. He stated the project cost is just under \$76 million (in present day costs).

Mr. Walker stated the project could be accomplished in phases, with Phase 1 including improvements to Upper Manatee River Road and Fort Hamer Road for \$36 million, and the necessary improvements to the U.S. 301 intersection for \$4.33 million. He stated it would also be possible to construct a two-lane, dual-structure bridge first with sidewalks and bike paths. Initial cost of the first bridge would be \$28.08 million, with Phase 2 being the improvements at U.S. 301 intersection and Fort Hamer Road. The final two lanes would be completed as Phase 4 with an overall cost of \$90 million.

Discussion: County allocates \$9 million per year; MPO annual fair share is \$18 to \$20 million; funding source for improvements to U.S. 301; two-lane structure needed at this time; four-lane structure for the future; \$20 million in the work program now for design and right-of-way that would almost cover the construction costs; PD&E Study already done north of the Manatee River to the Parrish area; most of the right-of-way is accommodated along U.S. 301; "no build" option would rely on existing Rye Road bridge or the Interstate; roads will require improvements even if the bridge is not built, but the money will be funded solely by the County; Rye Road bridge would have to be rebuilt to avoid the park and span the floodway and floodplain; more expensive and more damage to environment to rebuild bridge on Rye Road; the further east the bridge is placed the less effective it would be; increase in land acquisition costs; stormwater treatment and lighting along the bridge; study area population; etc.

Speaking in favor of the project or with general questions were: **Jeff Orenstein, Robert Stark, and Kay Jacobs.**

Speaking in opposition to the project with concerns for historical preservation; traffic congestion; environmental protection; cost of bridge and rights-of-way; funding sources; length of bridge; long-term transportation needs; toll bridge; tax dollar disbursement; asphalt plant and mining operations; archaeological ordinances; land use/transportation link; housing diversity in mass transit nodes; public transportation; MPO; Comprehensive Plan; lack of advance notice for public hearings and intent to vote; level of service for the bridge and Old Tampa Road; lack of schools; overpopulation; visioning process; poor development; and emergency response issues were: **Chuck Eiswerth** (submitted handout with letter and resolution from United and South Eastern Tribes); **Don McFadden**; **Ron Myers** (submitted handout); **Dottie McChesney**; **Manuel Gonzalez**; **Fred Fischer**; **Ernest "Sandy" Marshall** (requested letter from November 14, 2002, be submitted into record); **Geraldine Swormstedt**; **Glenda Myers**; **Juan Reynardus**; **Linda Volino**; **Karen Malesky**; **William B. Jones**; **Mary Sheppard** (written comments submitted); **Rev. Don Thompson**; **June Stroup**; **Cathy Page** (submitted remarks); **Karen Ciemniecki**; **David Levin**, representing the Waterlefe Master Property Owners Association, Inc., (submitted handout); **Elizabeth Bharucha**; **James Gledhill**; **James Keenen**; **Rev. David Cole**; **Audrey Kelley**; **Pete Kelley, Jr.**; **Pete Kelley, Sr.**; **Jono Miller**; and **Nick Baden**.

**Recess/Reconvene.** All members present except Ms. Brown.

Discussion: Whether FDOT considered the Native American historical significance of the area; two monuments already in place in the area; projected numbers of cars and the four-laning of U.S. 301; traffic on S.R. 64 will increase if bridge is not built; north-south corridor and evacuation routes; traffic increase on Lakewood Ranch Boulevard; Lakewood Ranch Boulevard to be four-laned south of S.R. 70; majority of community does not want bridge; river impacted visually from communities already constructed; Waterlefe homeowner documents notify homeowners that right-of-way was dedicated to the County for a bridge on the east side of the development; bridge run-off will be captured and treated; in 1968 I-75 and the Fort Hamer bridge were already planned; bridge will not cause urban sprawl; the bridge is providing for communities already built; I-75 designed to move traffic to Hillsborough or Pinellas County, not for traffic going across town; etc.

**Motion**

Based upon the factual information presented and the comments made during this discussion, Mr. McClash moved approval to proceed with the ultimate four-lane option, constructed in phases conceptually identified as Phase 1: two-lane bridge with approaches and two-lane roadway improvements along Fort Hamer and Upper Manatee River Road to include at a minimum sidewalk and bike lanes and a realignment of Fort Hamer and the U.S. 301 intersection. Phase 2: The four-lane widening of Upper Manatee River Road. Phase 3: The four-lane widening of Fort Hamer Road, which shall be constructed after or at the same time as U.S. 301 from Old Tampa Road to Parrish is made a four-lane. Phase 4: Add second two-lane bridge, if necessary, as presented by the FDOT for the Upper Manatee River Road/Fort Hamer Road improvement project in order to be consistent with the adopted Manatee County Comprehensive Plan and the Sarasota/Manatee Metropolitan Planning Organization's Adopted Long Range Transportation Plan. The FDOT shall include community focus groups to assist in the design of the bridge and roadways and work with the American Indian Tribes and Historical Interests to respect those interests in a manner acceptable to those parties. The motion was seconded by Mr. Getman and carried 6 to 0.

**BC20030310DOC002**

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Adj: 10:00 p.m.  
/pat

Minutes Approved: April 15, 2003





**To:** Ben Walker

**From:** Marty Peate

**Date:** February 6, 2004

**RE: FINANCIAL PROJECT ID: 199668 1 22 01  
FEDERAL AID PROJECT NUMBER: 8888 650 A  
UPPER MANATEE RIVER PD&E/EIS STUDY  
MEETING WITH BILL STEELE, SEMINOLE TRIBE OF FLORIDA, THPO**

**FRIDAY, MARCH 12, 2004**

A meeting was held on Friday, March 12, 2004 in the conference room of Archaeological Consultants Inc. office at 3:00 pm for the Upper Manatee River PD&E/EIS Study. The following is a list of attendees:

- Willard Steele, Seminole Tribe of Florida, THPO
- George Hadley, FHWA (via teleconference)
- Gwen Pipkin, FDOT
- Marty Peate, URS
- Marion Almy, ACI
- Joan Deming, ACI
- Kimberly Hinder, ACI
- Sarah Payton, ACI

---

This meeting was held to initiate coordination with the Seminole Tribe of Florida regarding Fort Hamer and the events surrounding Fort Hamer as brought forward by Mr. Steele at the Public Hearing and in written comment.

Willard (Bill) Steele started the meeting stating that the Seminole Tribe of Florida (the Tribe) disagreed with the findings in the current EA of "no adverse effect" on Fort Hamer. Mr. Steele noted that in work previously conducted by Janus Research a "Seminole pipe", similar to the one found by John Goggin in the 50s, was found in the general vicinity of Fort Hamer. Mr. Steele added that Fort Hamer was an important site, in particular to the Tribe, because of its role in the Trail of Tears.

Due to these facts, Mr. Steele requested that as part of the EIS effort that the Tribe has the opportunity to examine the pipe discovered as part of the Janus Research effort. Marion Almy noted that she has a long-standing relationship with Janus and would contact them regarding the pipe and the opportunity to examine it. Additionally, Mr. Steele suggested that more information related to the time period and people involved in Fort Hamer be part of the EIS effort as well as some form of marker for the area.

Marty Peate noted that current concepts for the bridge consist of a retaining wall north of the river on both the east and west sides. The west side faces Fort Hamer Park and a pull-off has been provided to maintain access to the Park. Additionally, a new stormwater pond is called for





between the retaining wall and the Park, but not utilizing Park property. Mr. Peate suggested that the wall be used for an interpretive mural depicting the events surrounding the history of Fort Hamer and that the pond could be used as an amenity tying the mural and Park together. This area could have a path around the pond with seating and lighting.

George Hadley stated that FHWA would have no problem with that concept and the concept could easily qualify for federal dollars.

Mr. Peate added that the Tribe could identify the artist to be used and the image to be depicted.

Mr. Steele asked if an educational program could be integrated into the plan because Florida history is covered in fourth grade. Mr. Hadley stated that FHWA had no problem with the inclusion of an educational component. Mr. Peate added that there is one (1) high school, one (1) middle school, and two (2) elementary schools within the study area.

Mr. Hadley mentioned that the Seminole Tribe of Oklahoma should be coordinated with regarding this mitigation because it is likely that many Oklahoma Seminoles are descendants of Florida Seminoles removed via Fort Hamer. Mr. Steele noted that there are philosophical differences in the two (2) tribes that may cause problems. Mr. Hadley agreed, but the opportunity should be made available. With that Mr. Hadley said, "I think you just got a blank check."

Mr. Steele brought up another point related to construction monitoring. Mr. Peate stated that the FDOT had received a letter from SHPO (which is an appendix in the CRAS) that requires a certified archaeologist to be present during excavation activities. Mr. Steele emphasized that monitoring should be a commitment made by the FDOT.

Mr. Steele noted that the proposal provided an opportunity for "many positive things to happen."

Mr. Peate and Gwen Pipkin stated that FDOT would initiate discussions with Manatee County regarding the proposed mitigation plan.

Mr. Steele stated that he would reexamine the EA and CRAS based on the outcome of this meeting and provide any comments that he felt would be necessary to satisfy the Tribe.

The meeting adjourned at 4:10 pm

March 2, 2004

Ms. Lauren Milligan, Coordinator  
Florida State Clearinghouse  
Department of Environmental Protection  
3900 Commonwealth Boulevard, MS 47  
Tallahassee, FL 32399-3000

**RE: Florida Department of Transportation  
Financial Project No.: 199668 1 22 01  
Federal Aid Project No.: 8888 650A  
Upper Manatee River PD&E Study  
Manatee County  
Advance Notification Package**

Dear Ms. Milligan:

The attached Advance Notification Package is forwarded to your office for processing through appropriate State agencies in accordance with Presidential Executive Order 12372 and Gubernatorial Executive Order 95-359. Distribution to local and Federal agencies is being made as noted. **This Advance Notification is a re-submittal of an Advance Notification dated July 9, 1999 prepared for the same project.**

Although more specific comments will be solicited during the permit coordination process, we request that permitting and permit reviewing agencies review the attached information and furnish us with any comments they consider pertinent at this time.

This is a Federal-aid action and the Florida Department of Transportation and Federal Highway Administration will determine what degree of environmental documentation will be necessary. The determination will be based upon environmental evaluations and comments received through coordination with other agencies. Please provide a consistency review for this project in accordance with the State's Coastal Management Program.

In addition, please review this project's consistency, to the maximum extent feasible, with the approved Comprehensive Plan of the applicable local government jurisdiction(s) pursuant to Chapter 163, Florida Statutes.

We look forward to receiving your comments on the project within 45 days. Should additional review time be required, please submit a written request for an extension of time to our office within the initial 45-day comment period.

Your comments should be addressed to:

Mr. Dick Combs, Planning and Environmental Manager  
Florida Department of Transportation  
District One Environmental Management Office  
801 North Broadway Avenue, MS 1-40  
Bartow, Florida 33831-1249

Your expeditious handling of this notice is appreciated. If there are any questions, please contact me at (863) 519-2368.

Sincerely,

Dick Combs  
Planning and Environmental Manager

Enclosures

## ADVANCE NOTIFICATION MAILING LIST

cc:

- Federal Highway Administration, Division Administrator
- Federal Emergency Management Agency, Regional Environmental Officer
- Federal Transit Administration – Region IV
- U.S. Department of Housing and Urban Development, Field Environmental Officer
- U.S. Department of Interior – U.S. Geological Survey, Chief – Office of Regional Services
- U.S. Department of Interior – Bureau of Land Management – Eastern States Office
- U.S. Department of Interior – National Park Service – Southeast Regional Office
- U.S. Department of Interior – Bureau of Indian Affairs – Office of Trust Responsibilities
- U.S. Department of Interior – Fish and Wildlife Service, Field Supervisor
- U.S. Environmental Protection Agency – Region IV, Regional Administrator
- U.S. Army Corps of Engineers – Regulatory Branch, District Engineer
- U.S. Department of Health and Human Services – National Center for Environmental Health and Injury Control
- U.S. Department of Commerce – National Oceanic and Atmospheric Administration – Ecology and Environment Office
- U.S. Department of Commerce – National Oceanic and Atmospheric Administration – National Marine Fisheries Service – Habitat Conservation Division
- U.S. Coast Guard – Aids to Navigation and Waterways Branch – Chief, Bridge Section
- Florida Department of Transportation – Environmental Management Office
- Florida Department of Transportation – Federal Aid Programs Coordinator
- Florida State Clearinghouse:
  - Florida Fish and Wildlife Conservation Commission
  - Florida Department of Environmental Protection
  - Florida Department of State – Division of Historical Resources
  - Florida Department of Agriculture and Consumer Services
  - Florida Department of Community Affairs
  - Tampa Bay Regional Planning Council
  - Southwest Florida Water Management District
- Manatee County Board of County Commissioners
- Manatee County Transportation Department
- Sarasota/Manatee Metropolitan Planning Organization
- Miccosukee Tribe of Indians of Florida
- Muskogee (Creek) Nation of Oklahoma
- Seminole Tribe of Florida
- Seminole Nation of Oklahoma
- Poarch Band of Creek Indians of Alabama



**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
ADVANCE NOTIFICATION FACT SHEET**

Upper Manatee River PD&E Study  
Manatee County

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**1. NEED FOR PROJECT**

The Federal Highway Administration (FHWA) in consultation with the Florida Department of Transportation (FDOT) will prepare an Environmental Impact Statement (EIS) for a proposal to improve regional traffic circulation in a rapidly developing section of eastern Manatee County. The EIS will examine a study area bounded by State Road (SR) 64 to the south, Rye Road to the east, CR 675 and US 301 to the north, and I-75 to the west. The proposed project will consider improvements to Upper Manatee River Road and Fort Hamer Road, and provide a new bridge connection across the Upper Manatee River south of the community of Parrish in Manatee County. The project limits extend a distance of approximately 7.0 miles from SR 64 on the south to US 301 on the north. Other corridors will be considered as well, including I-75, Rye Road/CR 675, and potential new alignments. A Project Location Map is attached.

This project is commonly referred to as the Upper Manatee River Project Development and Environment (PD&E) study. The need for a new river crossing has been identified as a high priority by the Sarasota/Manatee Metropolitan Planning Organization (MPO) and is needed to accommodate currently approved future growth and serve as an additional hurricane evacuation route in one of the fastest growing counties in Florida.

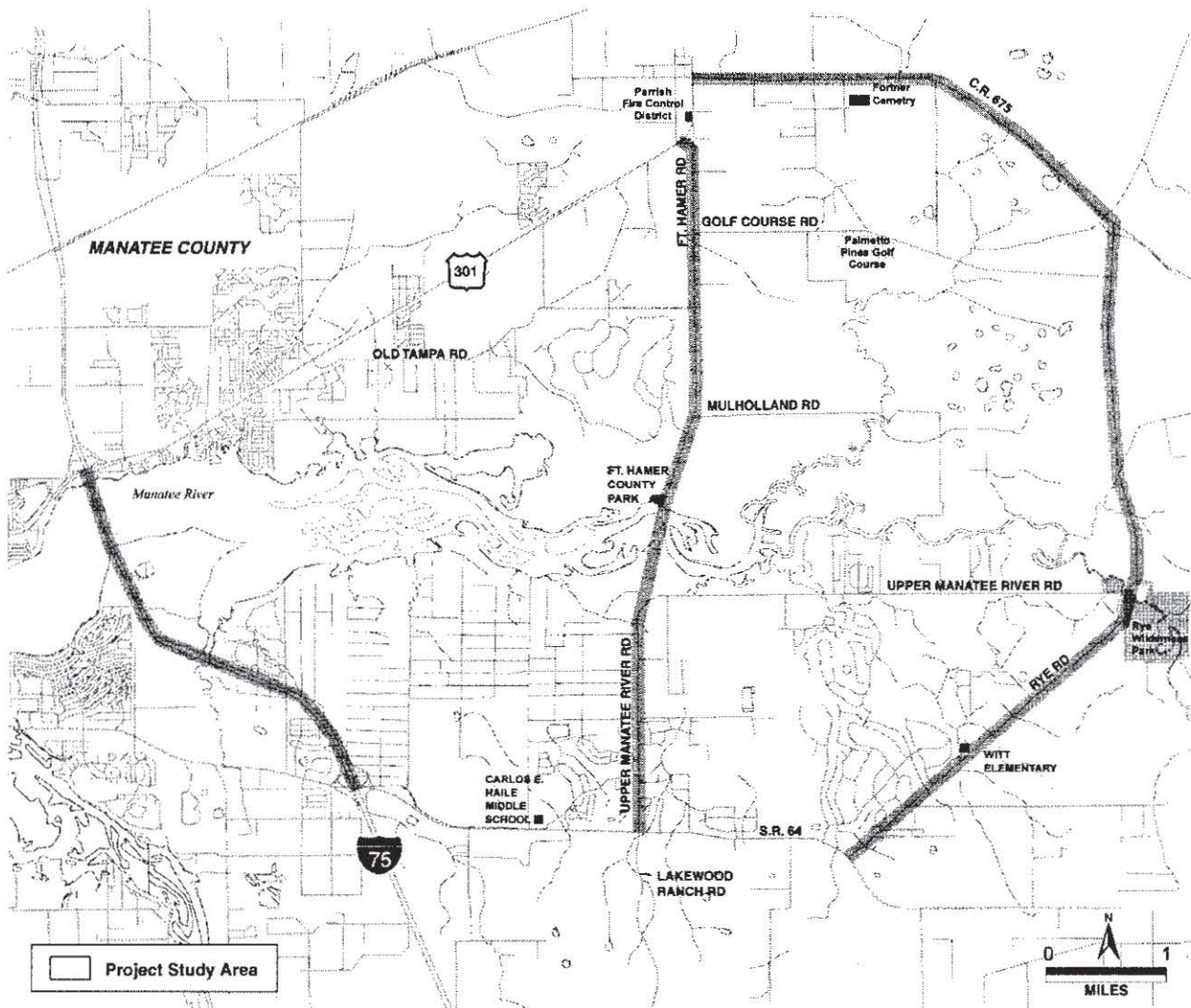
With convenient access to I-75, the project study area is undergoing rapid change and development. Numerous Developments of Regional Impact (DRIs) and sub-DRIs, including 14 residential developments, are in various stages of approval and/or construction at this time in the project study area. Projections from the Manatee County Planning Department estimate the population within the study area will grow from 6,777 in 1995 to 36,902 in 2020 and annual employment will grow from 309 jobs in 1995 to 4,984 in 2020.

Because of the projected rapid development and growth in population and employment, a new north/south roadway corridor including a new bridge across the Manatee River is essential to providing an acceptable level of mobility and continuity in this area of Manatee County. A new bridge across the Manatee River along the existing Upper Manatee River Road/Fort Hamer Road corridor is currently included in both the *Manatee County 2020 Comprehensive Plan* and the Sarasota/Manatee County MPO's *2025 Financially Feasible Long Range Transportation Plan (LRTP)* that was adopted on February 26, 2001.

An Environmental Assessment (EA) was originally completed for this project and signed by the FHWA on September 6, 2002. After the identification and analysis of numerous corridors, alternatives and locations, the EA study recommended two through lanes in each direction along the existing Upper Manatee River Road/Fort Hamer Road corridor with sidewalks and bike paths and a new four-lane bridge across the Manatee River. A capacity analysis, using 2025 future conditions, concluded that a proposed four-lane divided facility would operate at acceptable levels of service. A four-lane facility is also consistent with Manatee County's *2020 Comprehensive Plan* and the MPO's adopted *LRTP/Cost Affordable Plan* element.

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**PROJECT LOCATION MAP**



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On March 10, 2003, the Manatee County Board of County Commissioners (BOCC) voted to proceed with a phased four-lane project along the Upper Manatee River Road/Fort Hamer Road corridor from SR 64 to US 301 including a new bridge across the Upper Manatee River.

- Phase 1 would consist of a new two-lane bridge with approaches and roadway improvements along existing Upper Manatee River Road and Fort Hamer Road including sidewalks and bike lanes, and realignment of the Fort Hamer Road/US 301 intersection.
- Phase 2 would consist of widening Upper Manatee River Road to four lanes.
- Phase 3 would consist of widening Fort Hamer Road to four lanes.
- Phase 4, if needed, would consist of adding a new two-lane bridge adjacent to the previously constructed two-lane bridge.

During the EA study, the proposed project generated significant controversy among residents within the study area. As a result, an EIS is now being prepared. The EIS will update the traffic information to determine if the previously selected corridor is still the most appropriate. Other potential corridors will also be reconsidered. The EIS will then consider the phased build alternative recommended by the BOCC, any new corridor based on the updated traffic information, as well as a no-build alternative.

## **2. DESCRIPTION OF THE PROJECT**

The following information is based upon the previously selected corridor from the EA study. If the updated traffic information indicates a different corridor is more appropriate, updated information will be provided at that time in the EIS.

The Upper Manatee River PD&E study area extends from I-75 on the west to Rye Road on the east and in a north/south direction from SR 64 to US 301, a distance of approximately 7.0 miles. The Manatee River divides the existing north/south roadway corridors in the study area, Upper Manatee River Road and Fort Hamer Road. A new bridge crossing the Manatee River is being considered to connect the two roadways as one continuous north/south roadway corridor in order to relieve congestion on I-75 and improve local traffic circulation.

The Upper Manatee River PD&E project is located within Sections 5, 8, 17, 18, 19, 20, 29, and 30 of Township 34 South, Range 19 East; and Section 32 of Township 33 South, Range 19 East in Manatee County, Florida.

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**a. Existing Typical Section:** Upper Manatee River Road and Fort Hamer Road are both two-lane undivided roadways with open drainage systems. The existing typical section for both roadways consists of two 11-foot travel lanes, 4-foot grass shoulders, and open roadside ditches on both sides. Existing right-of-way widths are 80 feet for Upper Manatee River Road and 60 feet for Fort Hamer Road. The posted speed limit for both roads is 45 miles per hour. There are no designated bicycle lanes along the route and only intermittent sidewalks associated with adjacent residential subdivisions including Greenfield Plantation, Gates Creek, Waterlefe, and Kingsfield.

The existing typical sections for Rye Road/Golf Course Road and Rye Road/C.R. 675 are the same as Upper Manatee River Road and Fort Hamer Road consisting of two 11-foot travel lanes, 4-foot grass shoulders, and open roadside ditches on both sides. Existing right-of-way widths vary. The posted speed limit is 45 miles per hour. There are no designated bicycle lanes or sidewalks along the route.

The existing typical section for I-75 consists of three 12-foot travel lanes in each direction, 12-foot paved shoulders, and open roadside swales on both sides. The existing right-of-way width varies. The posted speed limit is 65 miles per hour. There are no provisions for bicycles or pedestrians on the interstate.

**b. Drainage:** Currently, stormwater runoff from both Upper Manatee River Road and Fort Hamer Road sheet flows into open roadside ditches on both sides of the roadways. There are no existing stormwater treatment facilities along either roadway.

Stormwater runoff from Rye Road/Golf Course Road and Rye Road/C.R. 675 sheet flows into open roadside ditches. There are no existing stormwater treatment facilities along the corridor.

Stormwater runoff from I-75 sheet flows into open roadside swales or is discharged from the I-75 bridge directly into the Manatee River. There are no stormwater treatment facilities located along the I-75 corridor.

**c. Utilities:** Both buried and underground utilities are located within the Upper Manatee River Road/Fort Hamer Road corridors. Six utility owners/operators have been identified including Manatee County Public Works, TECO-Peoples Gas, Paragon Cable, Florida Power & Light, Verizon Florida, Inc., and the Manatee County Transportation Department.

A 42-inch water main and a fiber-optic conduit are located within the existing right-of-way of Upper Manatee River Road and could be potentially impacted by the project. Preliminary relocation costs are estimated at \$4.6 million for the water main and \$565,800 for the fiber-optic conduit.



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Both buried and underground utilities are located within the Rye Road/Golf Course Road and Rye Road/C.R. 675 corridors. Six utility owners/operators have been identified including Manatee County Public Works, TECO-Peoples Gas, Paragon Cable, Florida Power & Light, Verizon Florida, Inc., and the Manatee County Transportation Department.

There are several utilities located parallel to and perpendicular to the I-75 corridor. These include Manatee County Public Works, TECO-Peoples Gas, Paragon Cable, Florida Power & Light, and Verizon Florida, Inc. among others.

### **3. ENVIRONMENTAL INFORMATION**

**a. Land Use:** The land use within the project study area is rapidly transitioning from that of predominantly rural residential and agricultural uses to new residential subdivision communities. Land development is proceeding rapidly at an equal pace on both sides of the Manatee River. While several large agricultural tracts remain intact in the study area, many others have been displaced with the construction of new residences and many more residential communities are planned and have been approved for the immediate area.

Land use along Upper Manatee River Road is currently a mixture of agriculture and residential development. Proceeding north from SR 64, land use comprises a mix of new and established residential communities, agricultural operations, pasture, and cultivated fields. New residential communities include Greenfield Plantation and Waterlefe. Continuing north across the river and its associated floodplain is Fort Hamer Park, a public county park located at the southern terminus of Fort Hamer Road. Continuing north along Fort Hamer Road is a mixture of large agricultural tracts, rural residences, and several residential communities nearing build-out and currently under construction. New residential communities in this area north of the river include River Wilderness and Kingsfield. Approaching the northern terminus of the project at US 301 in the community of Parrish, land use is established and comprises mainly lower density residential development.

The *Manatee County 2020 Comprehensive Plan* identifies the project study area as a "Future Development Area," with the exception of the area west of Fort Hamer Park and south of Old Tampa Road, which is identified as "Developing Urban Core." Rapid growth and development is anticipated to continue within the study area with most new development being concentrated along the Upper Manatee River Road/Fort Hamer Road corridor.

The Florida Department of Community Affairs (DCA) has reviewed the EA study's previously proposed improvements to Upper Manatee River Road, Fort Hamer Road, and new bridge for consistency with the *Manatee County 2020 Comprehensive Plan*, and has determined in a letter

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dated October 23, 2000, that the project is consistent with the four-lane facility identified in the Transportation Element. No changes in existing or future land uses are anticipated as a result of the project.

*A Conceptual Stage Relocation Plan (November 2001) and Technical Addendum (April 2002)* were prepared as part of the previous EA study. It was determined that the previously approved project would result in the relocation of 5 residences and 2 businesses. In addition, 4 business parcels, 52 residential parcels, and 19 unimproved properties would experience some degree of right-of-way acquisition.

**b. Wetlands:** A *Draft Wetlands Evaluation Report (November 2001)* and *Technical Addendum (April 2002)* were prepared as part of the previous EA study. That study identified 25 wetlands and 4 roadside ditches along the project corridor. Potential wetland impacts are associated with a variety of wetland types including riverine, scrub-shrub, emergent marshes, ditches, forested wetlands, and other surface waters. Identified wetland species of particular note include black needle rush, marsh grasses, mangroves, sea grasses including widgeon grass, and other emergent wetland species.

The previously proposed four-lane alternative resulted in direct wetland impacts of 3.20 acres and 3.01 acres of indirect (shading) impacts associated with the bridge. The bridge approaches resulted in 0.18 acres of direct impacts on the south shore. Only minor direct impacts from the placement of pier structures would result. Approximately 0.24 acres of sea grasses were affected by shading. All measures to minimize impacts to wetlands would be employed to the greatest extent feasible. There are no practicable alternatives to completely avoid wetland impacts.

The previously proposed project would primarily affect low quality wetlands within and adjacent to the existing right-of-way. Due to the wetland impacts, mitigation is expected to be required. Mitigation ratios would vary with the quality of each wetland. Transfer of funds to the Southwest Florida Water Management District (SWFWMD) at \$82,281.00 per acre of impact in accordance with Florida Statutes (F.S.) 373.4137 is recommended as the most viable mitigation option.

**c. Floodplains:** A review of Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), community panel numbers 120153 0210 C, 120153 0220 C, and 120153 360 C, indicate that portions of Upper Manatee River Road and Fort Hamer Road encroach upon the 100-year flood zone. Combined, the existing roadways encroach upon approximately 4.48 acres of Flood Zone X and approximately 13.15 acres of Flood Zone AE. The previously proposed project corridor also crosses the Manatee River floodway, which is designated as Flood Zone AE.



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The previously proposed Upper Manatee River Road/Fort Hamer Road corridor represents a transverse encroachment on the floodplain. The EA noted the previously proposed improvements would not significantly increase the potential for risks or damages.

**d. Wildlife and Habitat:** *A Draft Endangered Species Biological Assessment (November 2001) and Technical Addendum (April 2002) were prepared as part of the previous EA study. The Upper Manatee River project area is designated essential fish habitat (EFH) for the brown, pink, and white shrimp as well as for the red drum, black grouper, gag grouper, and gray snapper. Minor impacts from the placement of piers are not anticipated to result in adverse impacts to any of these species. There would be no direct impacts to the estuarine system associated with the Upper Manatee River. Any impacts resulting from the placement of piers within wetlands would be mitigated in accordance with F.S. 373.4137.*

In a letter dated August 17, 2001, from the National Marine Fisheries Service, the preliminary EFH conservation recommendation states, "Compensatory mitigation should be provided for lost and reduced wetland functions resulting from direct and indirect project impacts such as filling, dredging, and shading." Appropriate mitigation would be determined and EFH consultation would be completed during the permitting phase.

The U.S. Fish and Wildlife Service (USFWS) has designated the Manatee River as Critical Habitat for the West Indian manatee. The USFWS has determined that the proposed project is not likely to have an adverse effect on critical habitat for the manatee. In addition, the project is located within the secondary zone of an active bald eagle nest. The USFWS has determined that the previously proposed project would not likely have an adverse effect on bald eagles.

**e. Outstanding Florida Waters:** There are no Outstanding Florida Waters found within the project study area.

**f. Aquatic Preserves:** There are no Aquatic Preserves found within the project study area.

**g. Coastal Zone Consistency Determination Required:** Currently, all counties in Florida are subject to a Coastal Zone Consistency determination.

**h. Cultural Resources:** In accordance with procedures outlined in 36 CFR, Part 800, a *Cultural Resource Assessment Survey (August 2001)*, including background research and a field survey coordinated with the State Historic Preservation Officer (SHPO), was completed for the project area during the previous EA study. No archaeological sites or historic sites or properties were identified, nor are any expected to be encountered within the proposed project alignment during project development. The FHWA, after consultation with the SHPO, has determined that

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no resources listed or eligible for listing on the National Register of Historic Places (NRHP) would be impacted by the previously proposed project.

During the upcoming EIS phase, additional coordination will be completed with the Seminole Indian Tribe of Florida as well as with the SHPO regarding the potential impacts to cultural resources associated with any potentially new corridor, should one be identified for further study.

**i. Coastal Barrier Resources:** No involvement.

**j. Contamination:** A *Contamination Screening Evaluation Report (November 2001)* was completed for the project during the previous EA study. A total of 10 sites were identified as having the potential for contamination impacts. However, none of the 10 sites are anticipated to have an adverse effect on the previously proposed project improvements.

**k. Sole Source Aquifer:** The study area is located outside of the boundaries of the Biscayne Aquifer, including the stream flow and recharge source zones.

**l. Other Topics or Comments:** During the EA phase of the Upper Manatee River PD&E study completed in September 2002, numerous stand-alone documents in addition to the EA were prepared for the project including: Conceptual Stage Relocation Plan, Cultural Resource Assessment Survey, Wetlands Evaluation Report, Contamination Screening Evaluation Report, and Endangered Species Biological Assessment report. Those documents have been referenced in this Advance Notification.



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**4. NAVIGABLE WATERWAY CROSSING**

The previously proposed project includes the potential construction of new twin fixed-span bridges across the Upper Manatee River. At the proposed bridge location, the Upper Manatee River is considered by the U.S. Coast Guard (USCG) to be a navigable waterway. As such, the proposed bridges will require a USCG Bridge Permit prior to construction.

A vessel survey was conducted for the project in 1999 at the proposed bridge location. As a result of the survey, a minimum vertical clearance of 26 feet was determined to be adequate for navigation and was presented to the USCG for initial consideration on May 22, 2001.

**5. PERMITS ANTICIPATED TO BE REQUIRED**

Various permit applications will be required and approvals needed prior to any project construction. The agencies requiring permits include, but may not be limited to, the following:

- U.S. Coast Guard Bridge Permit
- U.S. Army Corps of Engineers 404 Permit
- Southwest Florida Water Management District  
Environmental Resource Permit (ERP)
- Florida Department of Environmental Protection  
National Pollution Discharge Elimination System (NPDES)



## ARCHAEOLOGICAL CONSULTANTS INC.

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DATE: 4 August 2004

TO: Marty Peate, URS  
Gwen Pipken, FDOT

FROM: Archaeological Consultants, Inc. (ACI)  
8110 Blaikie Court, Suite A  
Sarasota, Florida 34240  
ACIFlorida@comcast.net  
p: 941.379.6206 f: 941.379.6216

Marion M. Almy, Project Manager  
Sarah P. Ward, Architectural Historian

RE: Upper Manatee River Road, Manatee County (Ft. Hamer)

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Sarah Ward and Kimberly Hinder, Architectural Historians with ACI, met with Willard Steele (6/28-6/29), Deputy Tribal Historic Preservation Officer for the Seminole Tribe of Florida, regarding the ongoing research of Fort Hamer. Research was conducted at the Ah-Tah-Thi-Ki Museum Historical Archives on the Big Cypress Reservation with the assistance of Mr. Steele. The interview with Mr. Steele provided mostly contextual information. Specific site information regarding Native Americans who were deported from Fort Hamer was gathered at the Ah-Tah-Thi-Ki archives.

Information pertaining to Native Americans who emigrated from Fort Hamer was located in 1850 Subsistence Rolls and Annual Annuity Reports compiled in Raymond C. Lantz's *Seminole Indians of Florida 1850-1874* (1994), at the Ah-Tah-Thi-Ki archives. The Subsistence Rolls from 1850 provided a list of those individuals who came to the Indian Territory West, Fort Gibson from Florida. The Annual Annuity Reports indicate the head of household, number of people in the family, and where they were living in the Indian Territory West. The 75 people listed on these reports received subsistence for one year following their emigration from Florida; from April 1850 through April 1851. This was in accordance with U.S. Congress, Senate Document 49 (Crawford to Spencer and Twiggs 1849:5-7). Steamers from Fort Hamer deported 75 Native Americans in mid-February and early March 1850. Several names of these individuals, who emigrated to the Indian Territory West from Fort Hamer, are specified in the U.S. Congress, Senate Document 49 (Casey to Twiggs 1849:94-95) and in James Covington's *The Seminoles of Florida* (1993:118 and 121). These names, *Holahteelmathloochee*, *Is-haiah-taikee*, *Kapiktoosootsee*, and *Yo-ho-lo-chee* are also located in the 1850 Subsistence Rolls and Annual Annuity Reports. Therefore, it can be determined that the individuals listed in the 1850

Subsistence Rolls and Annual Annuity Reports, are most likely those who emigrated from Fort Hamer to the Indian Territory West in February and March 1850.

A "Transportation List" noted in U.S. Congress, Senate Document 49 (Twiggs to Crawford 1849:94), would also provide a list of individuals deported from Fort Hamer in 1850. It was anticipated that this document would be found in the Ah-Tah-Thi-Ki archives; however, it was not. Mr. Steele did not know the location of the transportation list or other Seminole Emigration records. As a result, contacting the Seminole Nation of Oklahoma to obtain these valuable records is critical.

Additional information, in the form of historic maps resulting from early federal surveys from 1841 through 1859 (referenced below), was also obtained. Mr. Steele suggested that Seminoles who emigrated from Fort Hamer to the Indian Territory West, most likely came from villages or camps nearby. Although no evidence of villages or camps are known to be in the Fort Hamer vicinity, the *ca. 1850 Diagram* from Senate Executive Document No. 1 (U.S. Congress, Senate 1850), depicts a trail beginning in the Fort Hamer vicinity and traveling east, approximately 25 to 30 miles, to several Native American camps or villages. Further review of the *ca. 1850 Diagram*, along with the Ona (1956, PR 1987) and Zolfo Springs (1956, PI 1971) USGS quadrangle maps indicate that these potential Native American camps or villages may have been located in Hardee County. The maps illustrate that these camps or villages may have been in the vicinity of today's Oak, Hickory, and Troublesome Creeks (within Townships 34, 35, 36, and Ranges 23 and 24), which flow southeasterly into the Peace River.

Mr. Steele emphasized that the context, which led to the establishment of Fort Hamer, should be an important feature of the report and should be documented as thoroughly as possible. Preceding events, including 19<sup>th</sup> century federal government surveys and increased settlement following the Second Seminole War, were the primary cause for hostilities between settlers and Native Americans which led to the establishment of Fort Hamer.

## PROPOSED OUTLINE FOR FT. HAMER REPORT

- I. Introduction
  - A. Project Description
  - B. Purpose
- II. Research Considerations and Methodology
- III. Results / Historic Overview
  - A. Brief Overview of Second Seminole War (1835-1842). At the end of the war, Seminoles emigrated west by sailing to New Orleans and the traveling up the Mississippi and Red Rivers to Arkansas and Oklahoma. Those that remained, approximately 300, agreed to stay within the previously agreed upon boundaries in the Everglades and Big Cypress Swamps (Mahon 1967; Missall and Missall 2004:206-207). Included information concerning the Florida Seminoles, their origin, and why they immigrated to Florida.
  - B. Brief overview of hostilities between the federal government, white settlers, and Native Americans resulting in the Indian Scare of 1849. These were brought on by federal surveys and increased settlement following the Second Seminole War in 1842 and later in 1848.
    - 1. U.S. Federal Government initiates surveys of Florida in 1842, following the Second Seminole War. The Armed Occupation Act was also passed in 1842, to encourage settlement and protect the Florida frontier. The Act made available 200,000 acres south of Gainesville to the Peace River, barring coastal lands and those within a two mile radius of a fort (U.S. Congress, Senate 1848:7-9).
    - 2. Surveys and Increased Settlement in 1848.
      - a. Publication of the Armed Occupation Act (U.S. Congress, Senate 1848:7-9).
      - b. Survey of Miami River.
      - c. U.S. Coastal Survey (U.S. Congress, Senate 1850).
      - d. Buckingham Smith proposed draining the everglades to the U.S. Senate (Tebeau 1968:70-71).
    - 3. Growing Hostilities led to the Indian Scare of 1849 (July). Fort Hamer was established in direct response to these events, which involved three Native American attacks on white settlers and military posts.
      - a. Fort Pierce near Indian River (Covington 1961:53-54).
      - b. Payne's Creek near Peace River (Covington 1961:53-54).
      - c. Cape Roman (U.S. Congress, Senate 1849:122).
  - C. Fort Hamer Established in U.S. Military Response to Indian Scare of 1849.
    - 1. Increased number of troops in Florida to 1400, although there were less than 400 Seminoles in Florida. Established line of posts across



the state to help protect the Florida frontier and border around Indian Territory in South Florida. The line of posts began on the west coast at Fort Hamer and extended east across the state to Fort Pierce. By October 1849, 1700 troops were stationed in Florida.

2. Manatee settlers (120 white settlers and 300 slaves) request protection from government (U.S. Congress, Senate 1849:35, 55-56).
3. Fort Hamer was established in November 1849.
  - a. Established November 12, 1849 on southern banks of Manatee River. Township 34 South, Range 19 East reserved by government for military purposed of establishing Fort Hamer (U.S. Congress, Senate 1849:64-65; Letters Received, Belknap to Secretary of the Interior 1876). Although historical documents (i.e. Letters Received 1876, National Archives) indicate that the location of Fort Hamer was established in Township 35 South, Range 19 East, other sources indicate that it was actually in Township 34 South, Range 19 East (Sketch of the Country between Tampa Bay and Indian River, by George G. Meade in 1850, Post Office Reports of Site Locations 1837-1950, Map of Country in the Vicinity of Manatee, Florida 1851).
  - b. Troops sent to Fort Hamer; 165 military personnel. Post returns describe military activities at the fort. Buildings that may have been there and possible Seminole camp (Ross, Roberts, and Steptoe 1849-1850; Letters Received 1876).

D. Deportation of Seminoles from Fort Hamer.

1. Agreement to go west to Arkansas Reservation, which included 48 Native Americans and Seminole leader Billy Bowlegs and 25 members of his clan. Payment to each Seminole who agreed to emigrate. Also, the three prisoners from the Indian Scare of 1849 who were turned over by Bowlegs (U.S. Congress, Senate 1849:82; Covington 1993:121).
2. Location of Seminoles in Florida and route traveled to Fort Hamer. Approximately 60 Native Americans at Fort Arbuckle traveled to Fort Meade. They increased their party by three while they awaited the arrival of another party of 24 Native Americans. From Fort Meade they traveled to Fort Chokkonikka, where they crossed the Peace River at the only bridge and traveled on to Fort Hamer (U.S. Congress, Senate Twiggs to Jones 1849:66-67). The group of 63 Native Americans consisted of 12 warriors, 20 women, and 31 children. The additional party of 24 was late to arrive and scheduled to follow this first group (U.S. Congress, Senate 1849:83-87).
3. Transportation List and travel arrangements to the Arkansas Reservation. By the time of the departure, February 12, 1850, 72

Native Americans who surrendered, plus three prisoners, sailed for New Orleans on the Steamer *Fashion* from Fort Hamer. This group consisted of 19 men, 22 women, 14 boys, and 19 girls (14 additional Native Americans arrived from different posts). They were accompanied to New Orleans by a guard, who was placed with an officer. An additional 11 Native Americans were deported on the Steamer *Fashion* on March 11, 1850. This group consisted of four men, three women, and four children (U.S. Congress, Senate 1849:84-85, 87, 94-95; Lantz 1994:3-4; Letters Received by the Office of Indian Affairs, Duval 1850).

4. Individual Seminoles who emigrated from Fort Hamer to the Seminole Nation West (Lantz 1994:v, 1-5).

E. Negotiations with Seminoles Ended.

1. Two Seminoles transported against their will and a rumor that the government was not compensating emigrating Native Americans caused Seminole leader, Billy Bowlegs, to back out of agreement to emigrate, and all deportation brought to a halt. The two Native Americans were traveling with an emigrating party to trade when they were allegedly transported from Fort Hamer against their will. Holahteelmathloochee (Muskogee) and Is-haiah-taikee (Mikasuki) were traveling with Hapokltsoosee (U.S. Congress, Senate Casey to Crawford 1849:94-95; Covington 1993:121).
2. Bowlegs confessed to Casey that he never intended to leave (Covington 1993:117-118).

F. Fort Hamer abandoned and dismantled November 1850.

1. Troops ordered to Key West and Fort Casey.
2. Buildings ordered to be dismantled and moved to Fort Myers and Fort Casey. Remaining buildings sold and relocated.
3. Fort Hamer was reestablished in 1856, during the Third Seminole War (1855-1858).
  - a. The location of Fort Hamer in 1856. Based on extensive knowledge of Seminole War era forts, Dr. Joe Knetsch indicated that it is highly unlikely that the new Fort Hamer would have been established in the same location as the 1849-1850 fort, because the buildings were dismantled and/or moved and the site would have been disturbed by refuse and possibly contaminated by insects and rodents. Buildings and structures that were still considered useable at the close of Fort Hamer (November 1850) were dismantled and materials were reused at Fort Casey and Fort Myers (Letters Sent, Register of Letters Received, and Letters Received by Headquarters, Childs to Steptoe 1850, Everett to French 1850). However, historical research indicates that the 1856 Fort Hamer was located in the

vicinity of the 1849-1850 Fort Hamer (Memoir of Reconnaissances With Maps During the Florida Campaign 1867). William B. Hooker purchased the eastern half of the northwestern quarter of Section 17, Township 34 South, Range 19 East on May 1, 1855, under the Land Law of 1820 (State of Florida n.d.:239; Florida Land Records n.d.). This land is considered to contain the site of the original Fort Hamer by Dr. Sloan, who was the Surgeon assigned to Fort Hamer in 1849 and 1850.

- b. Hostilities in the Upper and Lower Manatee area led to the reestablishment of Fort Hamer during the year 1856. Captain William Hooker was in charge of a unit at Fort Hamer on the Manatee when two aggressive acts occurred (Florida Republican 1856; Covington 1993). In March of 1856 the house of prominent H. V. Snell was burned and nearby Owen Cunningham was killed in separate raids (Florida Republican 1856). It appears that Hooker purchased this parcel of land to herd cattle and was then forced to defend it.
4. Following the removal of troops and structures, the land in Township 34 South, Range 19 East was claimed by William B. Hooker of Tampa in 1855, who was a prominent cattle baron during the 1850s and 1860s. The property was then transferred to H. B. Henderson of Tampa shortly before Hooker's death in 1871 (Letters Received, Belknap to Secretary of the Interior 1876; VanLandingham 2003:2). Soon after his purchase, Henderson sold the land to Mr. McHarrison. McHarrison was living on the Fort Hamer site when Dr. Sloan visited the area in 1871. Dr. Sloan's report, informing the military of the current status at the old Fort Hamer site, reveals that McHarrison is living on the former site of Fort Hamer in a building he constructed himself and that fort buildings were no longer present (Letters Received, Belknap to Secretary of the Interior 1871).
5. The U.S. War Department officially relinquished claim of Fort Hamer lands in 1876 to the U.S. Department of the Interior, General Land Office (Letters Received, Belknap to Secretary of the Interior 1876).

#### IV. Conclusion

- A. Discussion of Fort Site and point of departure for Seminoles
- B. Recommendation

#### V. Sources Consulted



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## ONGOING RESEARCH

Contacting the Seminole Nation of Oklahoma remains critical in ongoing research. It is believed that their archives may contain valuable information regarding the incoming Seminoles who were transported from Fort Hamer in February and March 1850. Ongoing research will include further investigation of the location of the Native American camps villages illustrated in the *ca.1850 Diagram* (U.S. Congress 1850) to determine if they indeed had any relation to Fort Hamer. By the time the *ca. 1850 Diagram* was created, Fort Hamer had been abandoned and is not illustrated on the map. In addition, further research at the Manatee County Historical Society will be conducted to obtain transcripts from oral interviews of early Manatee pioneers. ACI remains in contact with Joe Knetsch, Government Analyst II for the State of Florida, Department of Environmental Protection, who continues to provide historical references pertaining to Fort Hamer.

ACI is currently developing a preliminary history of the site for review by Willard Steele, Joe Knetsch, URS, and FDOT.



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FLORIDA DEPARTMENT OF STATE

Glenda E. Hood

Secretary of State

DIVISION OF HISTORICAL RESOURCES

Ms. Manu Chacko  
U.S. Department of Transportation  
Federal Highway Administration, Florida Division  
545 John Knox Road, Suite 200  
Tallahassee, FL 32303

July 19, 2005

RE: DHR Project File Number: 2005-3943  
Received by DHR: April 18, 2005  
Financial Project ID No.: 199668 1 22 01  
Federal-aid Project No.: 8888 650 A  
Project: Upper Manatee River PD&E Study, Manatee County, Florida.

Dear Ms. Chacko:

Our office received and reviewed the above referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, *36 CFR Part 800: Protection of Historic Properties*, and Chapter 267, *Florida Statutes*. It is the responsibility of the State Historic Preservation Officer to advise and assist, as appropriate, Federal and State agencies in carrying out their historic preservation responsibilities; to cooperate with Federal and State agencies to ensure that historic properties are taken into consideration at all levels of planning and development; and to consult with the appropriate Federal agencies in accordance with the *National Historic Preservation Act of 1966*, as amended, on Federal undertakings that may affect historic properties and the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties.

The submitted Cultural Resources Assessment Survey (CRAS) included extensive documentary research concerning the history of Fort Hamer and the Seminole emigration from this post. This was conducted in order to provide a thorough examination into the daily operations of the fort and its cultural and historical associations. Through these means, this study was successful in documenting the history of Fort Hamer.

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☐ Northeast Regional Office  
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☐ Central Florida Regional Office  
(813) 272-3843 • FAX: 272-2340



Ms. Manu Chacko  
July 18, 2005  
Page 2

Based on the information provided in the submitted CRAS, it is the opinion of the Federal Highway Administration (FHWA) that the proposed undertaking will have no effect on any historic properties within the project Area of Potential Effect (APE) listed, determined eligible, or potentially eligible for listing in the *National Register of Historic Places*. Our office concurs with this determination and finds the submitted report complete and sufficient.

However, in the event of fortuitous finds during project development (such as archaeological artifacts or features), it is the recommendation of our office that construction cease in the immediate area of the discovery until a qualified professional archaeologist can assess the significance of the discovery. If the finds are determined potentially significant, please contact our office immediately to continue consultation on this project.

If you have any questions concerning our comments, please contact Brian Yates, Compliance Review Archaeologist, by electronic mail [byates@dos.state.fl.us](mailto:byates@dos.state.fl.us), or at 850-245-6372.

Sincerely,

*Barbara C. Mattick*  
*Deputy SHPO for Survey & Registration*

*for* Frederick P. Gaske, Director, and  
State Historic Preservation Officer

XC: Dick Coombs, FDOT District One, EMO  
Gwen Pipkin, FDOT District One  
Marion Almy, Archaeological Consultants, Inc.